

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

HEARINGS BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE EIGHTY-FIRST CONGRESS SECOND SESSION PURSUANT TO S. Res. 231

**A RESOLUTION TO INVESTIGATE WHETHER THERE ARE
EMPLOYEES IN THE STATE DEPARTMENT
DISLOYAL TO THE UNITED STATES**

PART 1

**MARCH 8, 9, 13, 14, 20, 21, 27, 28, APRIL 5, 6, 20, 25, 27, 28,
MAY 1, 2, 3, 4, 26, 31, JUNE 5, 6, 7, 8, 9, 12, 21, 22, 23, 26, 28, 1950**

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STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, MARCH 8, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 281,
Washington, D. C.

The subcommittee met, pursuant to notice, at 10:30 a. m. in room 818, Senate Office Building, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally (chairman of the full committee) and McCarthy.

Senator TYDINGS. The committee will come to order.

I think it appropriate first that the record show why this committee is meeting, and what its scope and purpose is to be in these proceedings. Senate Resolution 281, introduced by Mr. Lucas, was considered, amended, and agreed to on February 22, 1950. The resolution reads as follows:

Resolved, That the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are, or have been, employed by the Department of State. The committee shall report to the Senate at the earliest practicable date the result of its investigation, together with such recommendations as it may deem desirable, and if said recommendations are to include formal charges of disloyalty against any individual, then the committee, before making said recommendation, shall give said individual open hearing for the purpose of taking evidence or testimony on said charges.

In the conduct of this study and investigation, the committee is directed to procure by subpoena and examine the complete loyalty and employment files and records of all the Government employees in the Department of State, and such other agencies against whom charges have been heard.

The resolution was adopted by the Senate because of certain statements made on the floor of the Senate on Monday, February 20, 1950, and Wednesday, February 22, 1950.

In order that the committee may have all of the evidence that it should properly consider available in the record, the chairman has had the pages dealing with the information and charges and debate on these 2 days culled from the Congressional Record and, without objection, at this point the proceedings of the Senate dealing with this matter will be incorporated by reference in the record. Is there any objection? (None.) They will be incorporated by reference in the record.

2 STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

(The material from the Congressional Record incorporated by reference is as follows:)

Pages 2043-2071, February 20, 1950.
Pages 2104-2110, February 21, 1950.
Pages 2108-2109, 2178-2195, February 22, 1950.
Daily Digest, February 27, 1950.
Pages 2485-2480, 2523-2524, February 28, 1950.
Page 2078, March 2, 1950.

Senator TYDINGS. In the course of these congressional deliberations, Senator McCarthy, of Wisconsin, made certain statements in, I believe 81 different cases, and gave a short account of why he thought each of the cases questioned the loyalty of the individual in each case. Senator McCarthy has been invited by the committee to come before us today as our first witness.

I am sure, Senator, that you yourself realize that the individuals who are charged with disloyalty to our Government are confronted with one of the most serious charges that can be leveled at a patriotic or other individual.

Senator McCARTHY. Especially the "or other."

Senator TYDINGS. If these men are guilty of these charges, the committee would want to find it out. If they are not guilty, we will want to inform the public accordingly.

Unless the chairman is overruled, all witnesses coming before this committee will be sworn. In your own case, as a Member of the Senate, the chairman is not going to compel you against your will to submit to be sworn, but I would like to ask you now if you would consent to be sworn.

Senator McCARTHY. Mr. Chairman, I think it is an excellent idea to swear all witnesses. I do not think we should have anyone take advantage of any immunity, whether it is a Senator, Secretary of State, or what, so I would like to be sworn.

Senator TYDINGS. I am glad you said that, Senator. That is the way I feel about it. I think we all ought to feel that way. If you will hold up your hand, I will proceed to swear you.

Do you promise that the evidence you shall give in the pending matter before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Senator McCARTHY. I do.

Senator TYDINGS. Now, Senator McCarthy, the information you presented to the Senate has been read by all of us, I am sure. You will want to supplement that, no doubt, and comment further on it.

Senator McCARTHY. That is correct.

Senator TYDINGS. But, before you do, there is one matter that, to make the record complete as of the congressional debate, I would like to ask you about for just a minute.

If you will turn to case 14, that you mentioned in the Record—

Senator McCARTHY. Do you know what page that is on, Mr. Chairman?

Senator TYDINGS. I will try to find it in a minute.

Case 14 is in the Congressional Record of February 20, 1950, page 2051, column 3, and page 2052, column 1. I would like to read this particular case to ask you a question dealing with the other 81 cases.

Senator McCARTHY. Certainly.

Senator TYDINGS. I am quoting your remarks:

Case 14: This is a case of pressure from a high State Department official to obtain security clearance for an individual with a bad background from the standpoint of security. He was appointed in December 1945 as a translator in the State Department. This is an interesting case, showing the extent to which some of their superior officers will go when they find that some of these very unusual individuals are going to lose their jobs. He was appointed in December 1945 as a translator in the State Department. A report from another Government investigating agency, under date of January 9, 1946, advised that the subject should be dismissed as a bad security risk because he was flagrantly homosexual. He had extremely close connections with other individuals with the same tendencies and who were active members of Communist front organizations, including the Young Communist League.

I think this is interesting, Mr. President. I asked one of our top intelligence men in Washington one day, "Why do you find men who are so fanatically Communist? Is there something about the Communist philosophy that attracts them?"

He said, "Senator McCarthy, if you had been in this work as long as we have been, you would realize that there is something wrong with each one of these individuals. You will find that practically every active Communist is twisted mentally or physically in some way."

Senator McCARTHY. Let me interrupt you there, Mr. Chairman. The "or physically" should not be in there. I was quoting accurately. I do not agree with the "or physically." I think a vast number of people have physical defects. I have some myself. I do not think that makes a Communist. Let's make that clear. I wanted to make that clear as we go through it.

Senator TYDINGS. It is reported in the Record. I have read the Record as it is reported.

The State Department's own security agency recommended the discharge of this employee on January 22, 1946.

Now this is the part to which I would like to draw your attention. I will repeat that.

The State Department's own security agency recommended the discharge of this employee on January 22, 1946. On February 19, 1946, this individual's services were terminated with the State Department. Subsequently, on April 1, 1946, the action discharging this individual was rescinded and he was reinstated in his job in the State Department. In this case a CSA report of September 2, 1947, is replete with information covering—

and this is the point—

the attempt of a high State Department official to induce several individuals who had signed affidavits reflecting adversely upon the employee to repudiate their affidavits. The file shows that that high State Department employee even went out and personally contacted the individuals who signed the affidavits and asked them, "Won't you repudiate them?"

This individual, according to the security files of the State Department was a very close associate of active Soviet agents. As to whether he is in the State Department at this time or not I frankly do not know, but in view of the fact that he was reinstated, I assume that he is.

Now, the purpose of reading that is this. Is this man who was in the State Department, this high State Department official whom you allege tried to doctor the records, one of the cases of the 81 that you brought before the Senate, or have you referred to him here only to substantiate the facts in case 14?

Senator McCARTHY. I am afraid, Mr. Chairman, that you will have to let me go through these cases as I have them documented, and we will get to that case. I think we will have to wait until we get

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to that case, and I can assure you we will get to it. I have other cases documented for your information this morning. I am going to ask the committee to do this, if I may. As I discuss one case, let's try and stick to that case, and I assure you we will get to all of them without any trouble at all. I will be unable to jump, say, from case 1 to case 72 back to case 58. As of this time I can assure the Chairman that all the information which he wants on case No. 57 will be gotten to him, but I frankly cannot give him that information now, because I haven't arrived at that case this morning. I am sure we won't get to that case this morning.

Senator TYDINGS. Just a minute. Just a minute. Just a minute! All I am asking you is this. This is a very serious charge—

Senator McCARTHY. Very serious.

Senator TYDINGS. That a high official in the State Department is tampering with the records to protect people who are charged with disloyal activities.

Senator McCARTHY. That is right.

✓ Senator TYDINGS. What I would like to know is this: Is he one of the cases that you are going to bring before this committee, or is he just incidental in this case? You can certainly tell me that.

Senator McCARTHY. I will bring his name before the committee and give the committee all the information.

Senator LODGE. I would like to express the hope that Senator McCarthy will get the courtesy everyone gets, of being able to make his own statement in his own way, and then be subject to questioning.

Senator TYDINGS. The only reason I am bringing this out now is, we want to hear Senator McCarthy. We have put this all in the record. I have read over all of these cases three or four times, and studied the possible ramifications of them. I would like to know whether we are to hear this as a collateral matter of proving case 14, or whether this man himself is to be charged with disloyal conduct as a separate case. You can certainly answer that, and then we can leave it.

Senator McCARTHY. I will answer that. I will give the committee all of the information which I have. If the committee decides this man is disloyal, all right. If they decide not, it is up to the committee. There will be no information held back from the committee, and I want to thank the Senator from Massachusetts very much. I would like to be allowed to proceed and present the information in an orderly fashion, and the committee can be sure that any questions they have to ask will certainly be answered. I will answer that question, Senator, that you will be given all the information on the case.

Senator TYDINGS. Let me ask the questions, Senator McCarthy. I am at least charged with the responsibility of conducting this hearing, and I prefer to conduct it as I want it conducted and as the committee wants it conducted, rather than to have you tell me how to conduct it. I will be glad, and we will give you full and free opportunity to present anything you want to present.

✓ All I am asking you now is, do you know the name—I do not want you to tell it—but do you know the name of this particular high State Department official who is allegedly aiding disloyal persons in the State Department? Do you know the name?

Senator McCARTHY. Mr. Chairman, when we get to case No. 57 I will give you all of the names in that case. No names will be held back.

There are any number of names. I frankly cannot remember the vast number of names.

Senator TYDINGS. You know whether you know the name or not, and you can answer "Yes" or "No" and we can end this right here.

Senator LODGE. I do not think we ought to put the witness in the position of answering "Yes" or "No." I think he has a right to develop his own statement in his own way, and then be subject to questioning, which is a normal procedure here.

Senator TYDINGS. I would like to ask him now, Do you or do you not know the name of this high official in the State Department who allegedly committed the very thing that I have read?

Senator McCARTHY. Senator, I can go back to my office and dig up the name. I am not prepared to testify in case No. 57 this morning. I was sure we would not get to case No. 57. When we get to it, the Senator will have all of the information which I have. I assure him of that. And I hope that then he takes advantage of that and completes the investigation.

Senator TYDINGS. Senator McCarthy, if you will listen to me a moment, I think you and I probably can arrive at an understanding.

Senator McCARTHY. I am sure we can.

Senator TYDINGS. You have made on the floor of the Senate statements concerning 81 individuals. That is all right. The reason I am interested in this case particularly is that in no other case that I recall, and I read them all several times, is there any allegation that any high official in the State Department is covering up disloyal activities or disloyal persons. This was the only case where that happened.

Now if we have such an individual in the State Department, and we may have—I don't know whether we have or not—the most important thing this committee could do right away to clean out any subversive elements in the State Department is to find out who this man is, and we don't want you to give his name in public, but find out who he is and get him out of there. We don't want to wait until case 57 or 86 or next week. We certainly don't want somebody high up in the State Department who is shielding disloyal persons, fixing their records and asking people to withdraw their comments.

Now if this were just an ordinary matter of one individual, that would be one thing. But I cannot think of anything more important in this whole hearing. Maybe this is true or false, I don't know. But I would like to know if you know the name of this man. Then we will go on and let you testify.

Senator McCARTHY. A very good question, Mr. Chairman, and I tried to explain to you that I cannot give you information now on case No. 57.

Senator TYDINGS. I said case 14.

Senator McCARTHY. Let me answer when you ask a question, please. Let me add this, too. If you are eager to get to that case today, when the testimony ends this morning if you will come to my office I will dig that case out and give you all the names in the file, all the information you want. I cannot give you testimony on case No. 57 because I have prepared cases which I think are more important. I hope the committee will try and take the information which I have. I have it available for you. As I say, if the chairman feels that case No. 57 is urgent, he can come right over to my office as soon as we get

through and he and the reporter can take all of the information on' case No. 57, but that is all I can tell you on that now.

Senator TYDINGS. Senator McCarthy, we do not want to go to your office. We are conducting a hearing.

Senator McCARTHY. You will have to wait, then, until I get the information over here, Mr. Chairman.

Senator TYDINGS. You are in the position of being the man who occasioned this hearing, and so far as I am concerned in this committee you are going to get one of the most complete investigations ever given in the history of this Republic, so far as my abilities will permit.

Now what I am asking you now is, Do you or do you not now know the name of this man? Don't tell me. Do you now know it?

✓ Senator McCARTHY. At this particular moment, Mr. Chairman, I could not give you the names of half of these.

✓ Senator TYDINGS. I did not ask you if you could give me the names. I asked you if you knew this name.

✓ Senator McCARTHY. Mr. Chairman, I cannot give you any information on case 57. Have I made that clear? Case No. 57 will be developed and you will get all the information, every name that is in this file, when I get to that case.

Senator LODGE. Mr. Chairman, this is the most unusual procedure I have seen in all the years I have been here. Why cannot the Senator from Wisconsin get the normal treatment and be allowed to make his statement in his own way, and not be cross questioned like this before he has had a chance to present what he has?

Senator TYDINGS. If the Senator from Massachusetts will listen to me, what I have already put in the record are the 81 cases that the Senator from Wisconsin brought to the attention of the Senate and the country on the Senate floor. Now I asked him first whether this particular individual was one of the 81 cases. He did not seem able to tell me that, although I thought it was the most important allegation of disloyalty in the whole 81 cases.

I then, in order to bring it down into focus, asked him if he could tell me the name of this man. I did not want him to tell me here in the open, but I wanted to know if he knew it, because it seemed to me to be a rather odd situation that here, out of all these cases, was a high official of the State Department who was attempting to falsify records, suppress evidence, and protect disloyal persons, and no charge of a separate case, so far as I could find, was made out against him as one of the things we should investigate. So before leaving these 81 cases which I have put in the record this thing attracted my attention, and simply before we closed the Senate part of these hearings I am asking the Senator, Is this man known to him so that he can give us his name?

If that is not a reasonable request, he can say "Yes" or "No" or "I will go get it for you and in executive session I will give it to you."

Senator LODGE. I think it is a perfectly reasonable request, Mr. Chairman, at the proper time.

I think it is the most important request that will be made on this question, but I think this is the wrong time to make it. I think the Senator from Wisconsin ought to have the courtesy that every Senator and every witness has, of making his own presentation in his own way and not to be pulled to pieces before he has had a chance to utter one single consecutive sentence.

Senator GREEN. It seems to me that it is important to proceed in this unusual manner, not only for the reason stated by the chairman but for this reason: We may be asked to call upon the State Department to produce papers or evidence. It may be this very man to whom that might be left. If there is such an individual in the State Department suppressing information, distorting facts, we ought to tend to that before we ask the State Department for any papers.

Senator LODGE. Of course we ought to know it, Senator Green.

Senator GREEN. The question is whether the witness knows the name or whether it was imaginary.

Senator LODGE. We ought to know that man's name; we ought to know the names of all these people in here. All I say is that every witness, whether he is a Senator or whether he is not a Senator, is entitled to make his statement in his own words, and not, the minute he sits down, be subjected to a whole lot of piece-meal questioning, thereby making it impossible for him to make his presentation. I think it is just common courtesy and fairness to let a man make his presentation.

Senator TYDINGS. We will give him all the chance in the world to make his statement, if he will simply say he doesn't know the name of the man or he does know the name of the man. Certainly he can tell us whether he knows the name or does not know it.

Senator HICKENLOOPER. Mr. Chairman, why is it so vital at this original jump-off meeting of this committee to know the name of an individual man, when the witness says in due course and in the course of his presentation he will give and disclose to this committee those names? It would seem to me that Senator McCarthy ought to be permitted to present his charges, his allegations, his information, and then this committee can look into them and evaluate which is the most important to first go into.

Senator GREEN. Mr. Chairman, if I may answer my distinguished colleague's argument, it is this, that if we are going into the files of the State Department, we ought to have confidence that they are not furnished or handled by an individual against whom such a charge is made as that he is a high officer in the State Department using his power improperly, because the testimony which we may need may come through him, and therefore we ought to clear the decks before we proceed. Not only that, but if these charges are true, that man still has access to the files in the meantime. That is my point.

Senator LODGE. If it were essential to do this so soon, why wasn't it done the minute Senator McCarthy made his speech on the Senate floor? Why did we wait until this particular moment?

Senator TYDINGS. Let me say this: I have no desire to delay Senator McCarthy. I am anxious for him to get on. My first question was, Is this individual who is accused of fraudulent conduct in the State Department to be made a case number?

Now, it seems to me that we can find out if he is, and then that's that. And the second question is, Does the Senator know the name of this man? He can say "Yes" or "No" and that would be that and we could get on with this thing.

Senator LODGE. I hope Senator McCarthy will be allowed to proceed in the normal way.

Senator TYDINGS. I still leave my two questions to be answered. I think that the most important thing before this committee is to clear out men in high places if they are guilty of fraudulent conduct, suppressing evidences of disloyalty in the State Department. There is nothing we are going to do that is more important than that.

Senator LODGE. Of course I favor doing that too. We all want to get rid of all the rotten apples in the State Department. That is the purpose of this investigation, and simply because I object to Senator McCarthy being torn apart this way does not mean I am not interested in getting these men cleared out. But this is a most extraordinary and unusual procedure, to start off in this confused way. It is not the way things are done around here.

Senator TYDINGS. All he has to do is answer two very simple questions: "I don't know the name of this man, Senator," or "I do know the name of this man, Senator. He won't be made a case subject."

Senator HICKENLOOPER. How will that help the investigation at this point, if he answers?

Senator LODGE. If he says it at 3 o'clock this afternoon, why isn't that just as good? You have waited all this time before you brought it up.

Senator TYDINGS. This is a public hearing and I do not want too much of this in star chamber.

Senator LODGE. Let's have it in public in Senator McCarthy's own time and own way. Give him the courtesy of letting him make the charges to the best advantage from his viewpoint.

Senator McMAHON. As I understand it, what you want is to know the name of this man as quickly as possible, because it is conceivable, because of what Senator McCarthy said about him, that he could frustrate this investigation. As I understand it, that is the purpose of the question. It is obvious that he hasn't got it with him at the moment. It is too bad that he hasn't, because I, too, would like to know if this rascal is in the State Department, and if that is what he is up to, and I hope that before the end of the day we can have the name of this person, because I think it is pertinent, Senator, at the beginning of this investigation, to drag out this key figure, who is apparently, if your charge is true, right down there with his hand on the throttle, and we ought to know that as quickly as possible.

Senator HICKENLOOPER. Mr. Chairman, this man has been in the State Department, apparently, according to the statement of Senator McCarthy, I think, on the floor, since, let us say, 1947.

Senator TYDINGS. And is still there.

Senator HICKENLOOPER. All right. He has been in the State Department, perhaps—I do not know who he is—since Senator McCarthy made his charges on the floor of the Senate. If he is going to do any dirty work, he has had all the time since 1947, and especially since Senator McCarthy made his formal statement on the floor of the Senate; he has had all that time to do whatever dirty work he might potentially do, and I do not see that another day will add to his potential danger very much over what he may have done in the past, if he is guilty.

Therefore, I think Senator McCarthy ought to be able to proceed in his own way.

Senator TYDINGS. Just a minute. I was very hopeful that we could get answers to these two questions. You could say "I don't know the name of the man" or "I do know the name of the man," because you have said that you had photostatic copies of the files, as I recall your testimony. And if you said you knew the man, we weren't going to ask you to give us that name this morning. But we just wanted to get at that the very first thing and have that man, if he is in the State Department now, relieved of his duties pending this investigation. We don't want to be charged with having let him roam around the State Department where he can keep on with doctoring the records, if he has access to them.

The first thing I asked you—the other proposition was the second—was, Was he to be made one of the case numbers? That is, was he to be a man against whom you were going to bring charges?

Now certainly it is very hard for the chairman to believe that a charge of this kind would not be a case number and if it is to be a case number, all right; say so. We will forget it. If it is not to be a case number, then we had better look into it right away.

Senator McCARTHY. May I have the chairman's copy of the resolution?

Senator LODGE. It seems to me that the time to try to get this particular individual was after Senator McCarthy mentioned him on the floor of the Senate, rather than to wait for two whole weeks and bring it up now this morning.

Senator TYDINGS. How could I get him when I don't know his name?

Senator LODGE. At this Roman holiday we are having here this morning it looks to me as though all of a sudden we have gotten interested in this man, when 14 days have gone by within which Senator McCarthy could have been asked the same question, if there was such a terrible urgency about it. I just don't see why we can't have proceedings go along in a normal way. If Senator McCarthy is allowed to make a statement without interruption he will probably reach this case today sometime.

Senator TYDINGS. I am not so certain. He said it was No. 57. He also said he could take up only a certain number of cases today, and we do not know when we are going to meet again. But the point is this: I have asked two simple questions; one, Is this man to be made a case number? Do you know the name of the man? If there is anything of an inquisitorial nature about getting an answer to those two questions before we proceed, I do not know what it is. The answer is very simple, and it seems to me that we could get the answers and dispose of it and go on with something else.

Senator McCARTHY. May I answer the chairman, and that is, that I will be unable to give him detailed information on case No. 57 this morning. In order to get the complete picture of that case, he will need the files.

Senator TYDINGS. You have the files.

Senator McCARTHY. Just a minute. I say in order to get the detailed information necessary for the committee to act it will be necessary that you subpoena the files. Let's make this clear when we speak of files. If the committee wants to be sure they have the complete files, it will be necessary to subpoena a number of things.

No. 1, you will have to subpoena the loyalty files, both categories, the part that you will normally be handed plus the sub rosa section.

No. 2, you will have to subpoena the personnel files, and by that I don't mean merely the subsection of the personnel files.

No. 3, in order to check that, it will be necessary for you gentlemen to subpoena the Civil Service Commission files. I understand that the State Department has a loose-leaf file. The Civil Service Commission has a copy of those files, a little more intricate filing system. The FBI also has a copy of that section of the files, which was compiled by the FBI.

Let me say this: Every case that I am giving you gentlemen today, every case that you will hear about, will have in the files derogatory information developed by the Federal Bureau of Investigation. Merely the top half of the State Department's loyalty file will be meaningless. I assure you of that.

Now this case No. 57, as I have told you three times, Senator, I cannot give you information on that now. If you had called me and told me you wanted that case developed this morning, it would have been developed. The only contact that I have had with the committee was the day the chairman met me on the floor and said, "Come over to the committee at 10:30 Wednesday morning and present whatever you have to us."

I am here ready to do that, Mr. Chairman. As I say, I am not prepared this morning in case No. 57. I am not prepared because the Chair did not indicate he wanted me prepared. I am not prepared, No. 2, because I do not think that is the all-important case. I do think that is a very important case. All of the names—all of the names—will be found in those files that I have suggested you subpoena, so you can get to that very easily.

Now, if the chairman wants case No. 57, I assume he is meeting tomorrow. If he meets tomorrow, if he wants that case developed, it will be developed before the committee. If the committee wants to meet this afternoon, if he wants to come to my office I will try and get him all the information he desires on that case. But this morning I cannot give the chairman the information on case No. 57; period!

Senator TYDINGS. Now let me ask you this: If we were to take a recess for 10 minutes so the Senator could go to his office and refresh his memory on file 57, if that is the file, could he not then come back here and answer the question, to wit, (1), Is this individual against whom these grave charges are made to be the subject of a particular case for investigation, or is he left out of the matter? (2), Does the Senator know his name?

If the Senator will come back and answer those two simple questions, we can go ahead with the procedures. It would only take him 5 or 10 minutes to do it.

Senator McCARTHY. Mr. Chairman, let me say the Chair asks whether I will make him the subject for investigation. I didn't know that I was running this committee. I don't think I am by a long stretch. I intend to submit to the committee information bearing upon the disloyalty, the bad security risks, in the State Department. Then it is up to the committee to investigate those particular cases. The committee has been allowed, I believe, \$25,000 or \$50,000 to do that. I do not have the investigative staff, I do not have access to the files, to make any complete investigation and make any formal charges. All I intend to do, Mr. Chairman, is to submit to the committee the evi-

dence which I have gathered over painstaking months of work, and I hope that the Chair will allow me to give that tomorrow, and I assure that chairman that there will be no names, nothing kept secret from this committee. He can be sure of that.

I say, if the Chair had informed me that he was particularly interested in case No. 57, that case would have been developed this morning. As it is, it will not be developed this morning because I am not prepared to do so, and after a 10-minute recess I would not be prepared to do so. I have some facts which I hope the committee will allow me to present to them this morning.

Senator TYDINGS. If the Senator will allow me to read just one sentence from case 14, he says, "In his case a CSA"—what is a "CSA"?

Senator McCARTHY. That is the investigative agency, as I understand it.

Senator TYDINGS. I don't know.

Senator McCARTHY. Mr. Chairman, when you ask a question, let me finish, please.

I don't understand this lettering system too well. "CSA" I believe is—they change the names of the organizations over there so much I can't keep track of them. It is the investigative agency, or something along that line.

Senator TYDINGS (reading) :

In this case a CSA report of September 22, 1947, is replete with information covering the attempt of a high State Department official to induce several individuals who had signed affidavits reflecting adversely upon the employee to repudiate their affidavits. The file shows that that high State Department employee went out and personally contacted the individuals who signed the affidavits and asked them "Won't you repudiate them?"

Senator McCARTHY. Mr. Chairman, let me say this. I have quoted from the files in 81 cases. The President of the United States has answered merely by saying that McCarthy is lying; it is not true. This committee can very easily determine where the truth lies by saying "We shall get those files." When you get those files, then you will know whether or not every word I have spoken here is true.

Now, when I get to case No. 57 I will give you all of the information which I can on it. That will not be complete. You will have to get four separate files to make sure you have the complete case.

Senator LODGE. Mr. Chairman, so far as one member of this committee is concerned, speaking for myself, I do not understand what kind of a game is being played here, and I cannot do my work as a member of this committee if we are going to do this picking and choosing and jumping around all over the place. If we are going to depart from the usual procedure of having him make his charges, then he makes his charges and we investigate the charges, I want to know that. But I do not understand at all what is sought to be achieved by this business of picking first one case and then another case and asking the witness about that before he has even had a chance to make a single connected statement.

Senator TYDINGS. Senator Lodge, as I will try to tell you once more—I thought I had made it plain—I have no disposition to interfere with the witness going ahead with any statement he has before him. I put in the record all of the proceedings, and one of the proceedings put in the record was the one to which I have just drawn attention, and in that particular case I found this statement. I simply

asked the witness, to make the record complete, whether or not this was one of the 81 cases which he wanted investigated, to wit, that a high State Department official had tried to cook or alter or doctor the evidence, and if he had said "Yes" or "No," that would have been one thing.

Then I asked him if he knew the name of this man, thinking it would be very desirous for the committee to get that man out of this investigation and all contact with the papers at the earliest possible moment.

It seems to me that if those two questions had been answered, and I can see no reason why they could not be answered, either that they are going to be made a case or they are not going to be made a case, and that "I do know the name and will give it to the committee in due time" or "I don't know the name and cannot give it to the committee"—if there is anything captious or inquisitorial or bad about just asking those two questions, to me they are the simplest kind of thing, and they make the record which we have already made complete as to whether this man is one of the 81 cases or whether he is not, and that "I know his name and in due time I will give it to the committee" or "I don't know the name and I can't give it to the committee."

Senator LONG. If there was such an awful hurry about getting this man, it seems to me the time to have done it would have been immediately after Senator McCarthy raised the point on the floor of the Senate. It is just a question here of orderly procedure.

Senator TYDINGS. You do not see things on the floor of the Senate you see when you read them over, Senator Lodge.

Senator LONG. We can all read the Congressional Record, and, if the thing is there, it is perfectly possible to go to work on it then, instead of waiting for two whole weeks until we have this hearing. It seems to me this is a perfectly extraordinary procedure. I have never seen anything like it, and I have been here since 1937. You have been here longer than I have. But I have been here since 1937, and it is a perfectly amazing procedure to pick No. 57 and then to pick No. 14, and I suppose after you are through playing with that you will pick 23. In the meantime the witness sits here. He has a prepared statement and he isn't given the common, ordinary courtesy of telling his story in his own words. I think it is perfectly amazing. I don't know what the purpose of it is, because I haven't been told.

Senator TYDINGS. There is nobody knows what the purpose is except myself, because on my word of honor I have never discussed it with any of my Democratic colleagues or Republican Colleagues. It simply occurred to me that this was about the most serious thing I had run across and I wanted simply to know whether a special case was to be made out against this individual and whether the Senator had his name, and if he had answered those questions "Yes" or "No" he would have been probably a third through with his written statement. If there is any reason why they should not be answered I do not know why the Senator does not say it, or say "Yes, they will be a special case. They ought to be a special case, and in due time I will give the committee his name." I can see no reason why that could not be done. If there is a reason, I have not heard it.

Senator HICKENLOOPER. Mr. Chairman, it seems to me that in reading over the Congressional Record when these cases and charges were

made by Senator McCarthy that there are quite a number of charges of very serious importance in this whole set-up. I would not necessarily pick this case as the most serious, just from reading the record. I think there are others that probably will come in for just as serious consideration. Therefore I see no justification in picking out this particular case for special interrogation at the moment.

And then, another thing, it seems to me that this committee will make the cases, not necessarily Senator McCarthy. Senator McCarthy gives his evidence and gives his conclusions, and furnishes this committee with what he believes to be facts or the sources of the facts for investigation, and then it is up to this committee to differentiate and to examine and to make the cases.

I strongly urge that a perfectly normal, sound procedure is to let Senator McCarthy, who has originated these charges, go ahead and make his charges and canvass his situation, and then let's question him about the individual cases if we want to.

Senator TYDINGS. The Chair will try to comply with the requests of the two Republican members of the committee and he will simply finish this phase of the matter by asking Senator McCarthy, the next time he comes before the committee, to be in a position to answer two questions: First, is the "high State Department official" who allegedly attempted to doctor the loyalty records in the State Department to be made the subject of a special case in the information and charges that he will bring before us? Secondly, does he know the name of this individual, and will he give it to the committee in executive session?

So, with those two things in the Senator's mind, if he will furnish them at the next meeting, I will be glad to have him go ahead with his statement. I am sorry we could not get them this morning.

Senator HICKENLOOPER. I have a question that I would like to suggest to Senator McCarthy at this time which I may ask him later—I don't know—along this same line. I may see fit to ask Senator McCarthy if he believes, based upon what knowledge and investigation he has had, that the high State Department official which has been referred to here might well be, upon the evidence developed, the subject for investigation and further inquiry by this committee. I say I may ask the Senator that question at a later date, when he is prepared to canvass the particular case that involves this allegedly high State Department official.

Senator TYDINGS. I will ask the Senator if he will be good enough to try to bring the answers to those two questions of the committee at the next meeting of the committee. I think I have conformed to his wish to postpone and give him time. I would rather have had them this morning. I think they are very important. I think it is the most important thing in the whole investigation, and I am sorry that, it being so important, he hasn't that evidence available.

Now, Senator, we will be glad to hear your statement.

STATEMENT OF HON. JOSEPH R. McCARTHY, UNITED STATES SENATOR FROM WISCONSIN

Senator McCARTHY. I thank the chairman, and so there is no doubt in the committee's mind let me say this: I think this is so important that I do want to stick to the cases as I document them and develop

them so there can be no question about the absolute truth of everything presented.

Let me say this also: I hope that every witness' testimony, including mine, is gone through with a fine-tooth comb. There are some very important witnesses down here, and I am very happy the chairman swore them all. We have found, you recall, back in the case of the famous racketeers of Capone that the Government could not get them for their crimes, but they finally discovered a way of getting them. They got them for income tax evasion.

We find where Communists are concerned they are too clever. They work underground too much. It is hard to get them for their criminal activities in connection with espionage, but a way has been found. We are getting them for perjury and putting some of the worst of them away. For that reason I hope every witness who comes here is put under oath and his testimony is gone over with a fine-tooth comb, and if we cannot convict some of them for their disloyal activities, perhaps we can convict them for perjury.

Senator TYDINGS. Are you going to relate to cases in the same order before the Senate, so I can follow them here?

Senator McCARTHY. I intend to give the committee additional cases.

Senator TYDINGS. If you refer to case 1 or case 2, that will be case 1 or case 2 as you referred to it in the Senate?

Senator McCARTHY. When I refer to a case, I will also identify it by the case number if it was referred to in the Senate.

Now, the chairman made a statement that I think he would like to retract, because he said: "McCarthy will be subject to the most thorough investigation in the history of this Republic." I think he meant that the disloyal people in the State Department will be subject to such investigation.

Senator TYDINGS. I did not say "McCarthy." I said this. I said: "This, Senator McCarthy, will be one of the most thorough investigations * * *." I did not make it personal.

Senator McCARTHY. Some people in the room got the impression he said that.

Senator TYDINGS. If they got that impression they got something I did not intend.

Senator McCARTHY. I did not think he did.

Mr. Chairman, I am grateful to the committee for its invitation to appear here today, and make available information which has come to me from a variety of sources bearing on the security of our Nation.

Certainly we are all in accord on the premise that every possible precaution should be taken to protect the national welfare and time and experience has shown us that subversive and un-American actions cannot stand the light of day.

To that end, I shall make available to this committee the names and background of persons who are, or have been, in the service of the Government who, by virtue of their background and activities, do not deserve the confidence and trust placed in them.

The fair security risk does not exist. Every man or woman in the employ of the United States Government is a bad or good security risk.

We have had, through our courts, our governmental investigating bodies, our public press and radio, a shocking and frightening series of reports on men and women in high and low places in our Government who transferred their allegiance to a foreign and dangerous ideology.

It is obviously impossible for me, without investigative personnel, funds, and authority and without full and free access to the voluminous and comprehensive files of numerous Government agencies, to give you gentlemen an adequate picture of this distressing situation.

I hope that this distinguished committee, charged by its colleagues in the Senate with a difficult and exhaustive duty, will be able to find a solution to a hitherto insoluble problem.

After the information I have received is collated and examined, it will be turned over to this committee. I shall withhold nothing and shall make available to the committee the information which has been made available to me.

I have carefully studied the standards of loyalty, as set forth by Secretary of State Acheson.

I agree with them wholeheartedly.

I have come to the conclusion, however, that these standards of loyalty are meaningless unless they are applied to all Government employees without exception.

It is the exception that I wish to bring to the attention of the committee.

I am convinced that in a sizable number of cases these standards have not been applied properly.

Mr. Chairman, one bad risk is too many, and a very few of these bad risks might well be disastrous to our national security.

At the outset I think it is important that the committee know that the statement I shall make here today regarding various persons in the employ of the United States Government is based on documented evidence and these documents I will submit to the committee as I go along.

Senator McMAHON. Senator, is it your intention to name individuals against whom you are making charges?

Senator McCARTHY. I intend to name names of those that are thoroughly documented and important, yes. The ones that are not thoroughly documented I intend to give to the committee and have the committee, with its own investigative staff, do the documenting.

Senator McMAHON. Senator, as I understand it, this is the first of a series of cases in which you are going to name names.

Senator McCARTHY. That is right.

Senator McMAHON. And you are going to give to the public and to us the digests of the files as you have had them given to you?

Senator McCARTHY. In this first case I am going to give nothing from any files. I am going to present documents.

Senator McMAHON. What documents?

Senator McCARTHY. I am going to give them to you as I go along.

Senator McMAHON. I mean, are they abstracts of the State Department files?

Senator McCARTHY. I will give you the documents, Senator, as I go along. They are photostats, and I can't give you a preview. I have to go through them.

Senator LOROE. Mr. Chairman, I don't like to be tedious about this, but I do hope—

Senator McMAHON. Senator, if you do not mind, I have not yielded.

There is a very important point involved here, Senator, whether you realize it or not, and this is the point where this committee is going to have to consider it, as to whether or not we are going to adopt a procedure whereby charges are made about citizens for all the world to see, based upon material that has been taken from files without an opportunity for the committee to have a full preview of that file.

Now, what I have in mind is the Coplon case and what took place down in the district court. I have no fixed opinion on this at the moment, Senator, but I just want the committee to understand that apparently we are going to open up the files for public inspection. Is that the Senator's idea?

Senator McCARRIN. No, no. I have no intention—even if I had the files I would have no intention—of presenting any of the State Department files. I say "even if I had them." It is not my decision to conduct the hearing in this fashion. The committee has asked for information. I have the documents. The names appear on the documents very clearly. If the committee wants to go into executive session and take this testimony, that is entirely up to the committee. Otherwise I shall have to proceed, and it is impossible to develop this and say "Mr. X," "Mr. Y," "Mr. Z." Do you follow me, Senator?

If the committee wants to go into executive session and hear these cases, let me tell you without mentioning her name that the first case will involve a person in a high State Department position getting about \$12,000 a year who belongs to 28 organizations that have been listed by the Attorney General and by various senatorial and House committees as subversive or disloyal—28 different organizations. I have the documents to show that she has belonged to those 28 subversive organizations—not organizations that I say are subversive, but organizations that the Attorney General has said are subversive, plus senatorial and House committees.

In presenting these documents, I think it is impossible to dismiss or hide this individual's name. I think this is very important. We will want to ask, for example, Mr. Acheson why he keeps in a high position, a \$12,000-a-year position, someone who belongs to 28 subversive organizations. She may, you understand, belong to 10 or 12 others. I have the documents to show the membership in 28.

I have no desire whatsoever to make this name public, but the committee has called me here. They say, "Give us information," and I can't give this information by referring to X, Y, and Z.

Senator TYDINGS. I think, Senator McMahon, your question is a proper one, but I believe the better way to handle it would be when we get to a document to ask for a description of it, et cetera, rather than to try to make a blanket ruling here where we might have to amend it over and over again. Do you agree with that, Senator? In other words, postponing the time until the Senator gets to the document, and then we can ascertain whether or not it is a State Department matter or loyalty file or FBI file, or what the matter may be.

I don't think we want to get in the position of denying the witness any proper testimony that he might deliver.

Senator McMAHON. It is a very difficult question, and I would defer to you as chairman of this committee on this matter of procedure. The only thing that disturbs me is this: Let us assume that the Senator charges this specific person what is true and is determined to be true. Then there is certainly no reason why the public should not be advised of the fact that she is what he says she is.

Contrariwise, let us assume, hypothetically, that it turns out on an investigation that she is completely innocent of the charges that are made. Senator, you and I know that that verdict will be on page 27 or 47, if there are 47 pages, but the charges will be on page 1.

Senator McCARTHY. I must say I heartily agree with you.

Senator McMAHON. And we must be careful, it seems to me, that in our desire to do a thorough job of investigation here and bring to book—and they should be brought to book—any persons who do not belong in the Government of the United States, not, in the process of doing that, to do a great injustice to decent American citizens.

Senator McCARTHY. May I say that I heartily agree with the Senator. On the Senate floor I said that I would not divulge any names. I said I hoped any names that were divulged would be developed in executive session. Mr. Lucas, who is the leader of the majority party, demanded time after time on the Senate floor and publicly that I divulge names. I am now before the committee. In order to present the case I must give the names, otherwise I cannot intelligibly present it. If the committee desires to go into executive session, that is a decision that the committee and not I can make, but if I am to testify, I say it is impossible to do it without divulging names.

Senator LODGE. Mr. Chairman, may I get recognized now? This committee unanimously voted to hold public hearings. That was our decision. Senator McCarthy now has the opportunity to name names. That is his decision. If he wants to give this information in private, then we have to decide whether we will hear them or not. Those issues were all settled when we had our meeting last week. I do not understand why Senator McCarthy cannot have the opportunity to present his statement and not be compelled to act as though he were in some sort of a kangaroo court—"Answer 'Yes' or 'No'" and that sort of thing. It almost looks as though there was an attempt to rattle him. We ought to let him make his statement, and then, if he has facts with him, we will investigate the facts. It seems to me just as simple as that.

Senator TYDINGS. Gentlemen of the committee, so far as the Chair is concerned about this, I think we ought to leave pretty well the manner of presenting the evidence up to Senator McCarthy. Senator, at any time that you feel you want to go into executive session with part of this testimony, if you will indicate that I will call the committee right here together and we will see what the situation is. If any member of the committee at any time thinks that the matter that is being made public should be heard in executive session, he will indicate that to me. We will go into a huddle and come out with a decision on that. In the meantime, proceed.

Senator McCARTHY. Let me make my position clear. I personally do not favor presenting names, no matter how conclusive the evidence is. The committee has called me this morning, and in order to intelligibly present this information I must give the names. I think this

should be in executive session. I think it would be better. However, I am here. The committee has voted to hold open sessions, so I shall proceed.

Let us take the case of Dor—

Senator TYDINGS. I told you when I invited you to testify that you could testify in any manner you saw fit. If it is your preference to give these names in executive session we will be very glad to have your wishes acceded to. If it is your desire to give them in open session, that is your responsibility. Now, if you will indicate how you want to proceed, the committee will take it under advisement and give you an answer in 2 minutes.

Senator McCARTHY. Let me say this first case has been handed to the press already. I think we will have to proceed with this one in open session. When we get to the next case, let us consider it.

Let us take the case of Dorothy Kenyon.

Senator TYDINGS. Is that one of the cases your brought up on the Senate floor?

Senator McCARTHY. This is not.

Senator TYDINGS. I see. Go ahead.

Senator McCARTHY. This lady, according to the latest issue of the official registry of the United States Government, is on the Commission on the Status of Women, United States Member on the Commissions of the Economic and Social Council, United States Mission to the United Nations, Department of State. Her salary is \$12,000 per year.

And I now present to the chairman of the committee the documentation of that part of my testimony.

Senator TYDINGS. Will you hold that a minute until I find whether it is listed here in the Register or not.

Senator McCARTHY. This lady has been affiliated with at least 28 Communist-front organizations, all of which have been declared subversive by an official Government agency. Nine of the 28 have been cited as subversive by the Attorney General of the United States, and I might say that her record of belonging to these subversive organizations dates back 10 or 15 years. It is not something new.

On February 21, 1940, Miss Kenyon signed a protest under the auspices of the Veterans of Abraham Lincoln Brigade condemning the war hysteria "being whipped up by the Roosevelt administration."

Exhibit marked "1" I now hand the committee. This organization has been cited as subversive by the congressional House Committee on Un-American Activities, the California Un-American Activities Committee, and the Attorney General of the United States.

Senator TYDINGS. Will you let us read that a minute. Is her name marked?

Senator McCARTHY. I think you will find her name marked.

Senator TYDINGS. I have it. It isn't marked. We will mark it. Let me read, Senator, for the record, the caption:

The following outstanding Americans, writers, poets, playwrights, educators, judges, critics, and public officials signed the letter to President Roosevelt and Attorney General Jackson protesting the attacks upon the Veterans of the Abraham Lincoln Brigade and condemning the war hysteria now being whipped up by the Roosevelt administration.

Senator McCARTHY. Mr. Chairman, I might say that this is the only photostat that I have, and I do not like to have it out of my possession.

If the committee wants these documents, I wish they would arrange with me to have them photostated so they may have a photostatic copy of the document.

Senator TYDINGS. Senator McCarthy, we will have to file all of the exhibits in the record that you give publicly, and I will instruct the stenographer to guard these exhibits, and when the committee finishes its deliberations to return them to you. Is that all right?

Senator McCARTHY. May I ask one other thing, Mr. Chairman. This is my only copy. I wonder if the Chairman would not instruct the clerk to have photostats made so that my file may be complete.

Senator McMAHON. Could I ask a question on that?

Senator TYDINGS. Yes.

Senator McMAHON. Senator, this is a clip from the Daily Worker, February 21, 1940, and it is entitled "Signers of Protest."

Senator McCARTHY. That's right.

Senator McMAHON. Of course, the list is a very lengthy one. As to some of the people on this list, I see one or two that I know casually myself. The description of the petition that was signed is the Daily Worker's description, and it does not appear to be a copy of the petition that these people signed. Is the Senator aware of that?

Senator McCARTHY. I think the Senator has stated it correctly.

Senator McMAHON. Yes.

Well, knowing the Daily Worker and its genius, from the copies that I have seen, for misrepresentation, I am curious as to just what the petition said. You haven't got that with you, have you?

Senator McCARTHY. I am sure when the Senator sees the 28 documents he will no longer be skeptical.

Senator McMAHON. It is not a question of that. I am curious as to what they did sign. It may be that in this instance the Daily Worker is telling the truth as to what they signed, do you see? But the Senator has not got the actual petition that they signed?

Senator McCARTHY. That is correct. That is a copy of the petition run in the Daily Worker as a paid ad, and advertised as having been run by these people.

Senator TYDINGS. Does the Senator know where we could get the original, so we could see what the petition purported to advocate?

Senator McCARTHY. I think the committee must hire a competent staff to run anything down they care to run down.

Senator TYDINGS. I say, does the Senator have any idea of where we might search for this particular item, so we can save time in finding it?

Senator McCARTHY. There are many places the Senator could search. I do not know where he could find it.

Senator TYDINGS. The question that the Senator does not answer, apparently, is that the Senator has no information. I am simply trying to find out where we could get it in the quickest possible time.

Senator McCARTHY. I do not have the original petition. I do not know where it is.

Senator McMAHON. I think, Mr. Chairman, that we should, as quickly as possible, get this petition, for this reason, that there are in this list about 100 names, and some of them bear good reputations. Now, to characterize them in a record of the Senate of the United States just on the basis of a clip from the Daily Worker is something that perhaps they are not entitled to either, so I do hope that we can get what they really signed.

Senator McCARTHY. I hope I have made it clear that I also hope that the committee proceeds to develop the situation.

Senator TYDINGS. Before the Senator proceeds, without any reflection on the press, newspaper accounts are not always the best evidence. The petition itself, as the Senator, who has been an eminent judge, would know, would be the best evidence, but we have a pretty wide latitude in these committees and we can look that phase of the matter over afterward.

Senator McCARTHY. Thank you.

In signing this statement Miss Kenyon collaborated with such well-known Communists as Paul Robeson, Bernard J. Stern, Albert Maltz, Anna Louise Strong, William Gropper, Langston Hughes, and Harry F. Ward.

Miss Kenyon is presently the sponsor of the National Council of American Soviet Friendship. This organization has been declared subversive by the House Un-American Activities Committee, the California Un-American Activities Committee, and the Attorney General.

Understand, when I say "presently," some of this information may be 6 months old. It is the best information, and I have no information that it has been withdrawn.

On November 16, 1948, Miss Kenyon as a member of the board of sponsors of this officially declared subversive organization welcomed the Red Dean of Canterbury, Hewlett Johnson, at a rally in Madison Square Garden in the city of New York. Only a few days ago the State Department refused to permit the Dean of Canterbury to enter the United States because of his Communist record.

For the guidance of the committee I hand you herewith exhibit 2, which fully documents Miss Kenyon's affiliation with the National Council of American Soviet Friendship.

Senator McMAHON. Senator, that National Council of American Soviet Friendship had quite a vogue when we were ~~cobelligerents~~ back during the war days. I may be in error, but I think that there were a couple of Senators of the United States who are still members of this body who were members of that organization at the time. Are you aware of that?

Senator McCARTHY. The Senator is talking about war days. This document is dated late 1948, November 16, 1948. And, Senator, I may say this, that I have not declared these organizations subversive. I tell you in each instance which official bodies have. In this case it was declared subversive by the House Un-American Activities Committee, the California Un-American Activities Committee, and the Attorney General.

I assume when they declared this organization subversive they did it upon very excellent and competent proof, so when I refer to these subversive organizations I am not saying that I myself have determined whether or not they are subversive.

Senator McMAHON. I did not assert that you did. I just asked you whether or not it is not a fact that a couple of the Senators had been members of the National Council of American Soviet Friendship. I would doubt, of course, that it was as late, though, as November 16, 1948, and you do point out that she was a member of the Board on that date.

Senator TYDINGS. Senator McCarthy, going back to the first exhibit that you introduced, I see some names on here that I think it only fair ought to be associated with the evidence you have given. I see such names as Ernest Hemingway, Dr. Harold Urey, the man who was in the forefront of development of the atomic bomb for the United States, and several others I recognize by reputation, some of them holding public office. I believe here is one man, the Honorable Stanley Isaacs; my recollection is that he holds an office in New York State of some kind. So that there is rather a large mixture of names that are pretty prominent.

Senator McCARTHY. This is exhibit 2, Mr. Chairman. It is a letter on the letterhead of the National Council of American-Soviet Friendship, and has a list of the sponsors, Kenyon's name being one of the list of sponsors. The letter reads as follows—or would the chairman rather see it before I read it?

Senator TYDINGS. This is 2?

Senator McCARTHY (reading):

On Monday evening, December 13, the Very Reverend Hewlett Johnson, Dean of Canterbury, and foremost leader in the democratic movement for world peace, speaks at Madison Square Garden. This eminent churchman, who will climax a month's tour of the United States with this rally, will present his impressions of the American peace movement as it relates to the peace forces of England and the continent. He will also report on his recent observations of conditions in eastern Europe and his personal conversations with the leaders of the new democracies.

We feel it is a rare privilege, indeed, for us to be able to present the dean in the first significant rally to follow the elections. We know you will appreciate the importance of forcefully demonstrating, particularly before the new congressional session, the people's will for peace through cooperation and friendship with the Soviet Union.

The Ambassador from the Soviet Union, His Excellency Mr. Alexander S. Panyushkin, will address the meeting. The meeting will also feature Paul Robeson, other well-known speakers, and a program of entertainment.

As you may recollect, thousands were turned away from the Garden on the occasion of the dean's last visit here in 1945. Thus, to insure you proper accommodations, we are enclosing an advance ticket order blank.

Senator TYDINGS. What was the date of that?

Senator McCARTHY. This is November 16, 1948. —

Won't you plan to attend this rally for peace and reserve seats for yourself and your friends?

I point out that Miss Kenyon was not merely a member of this organization but one of the sponsors, and I hand the Chair the exhibit labeled "2."

Senator TYDINGS. Will you pause a moment there, Senator, until we look at the document?

Senator McCARTHY. Mr. Chairman, while the balance of the committee are looking at the document, may I inquire as to how long the committee intends to remain in session today?

Senator TYDINGS. How long would you like us to remain?

Senator McCARTHY. I frankly had hoped to develop three or four cases. However, I do want to be on the floor today, and my thought is that we should certainly develop more than we have now, but I would not like to stay away more than an hour.

Senator TYDINGS. I have conferred with the members of the committee, and most of them seem to be of the opinion that we could continue for another half hour. Their engagements are such that at that time they won't be able to remain.

Senator HICKENLOOPER. I might suggest that Senator McCarthy probably can get through with his presentation and the presentation of his exhibits which he alleges support his position if we just let him go.

Senator TYDINGS. Yes; but Senator, we want to get all the evidence that is pertinent as we go along. We do not want to get it lopsided. We want to make sure that everything is weighed properly and proper connotations are put on it.

Senator McCARTHY. May I ask the Chair, so I may make preparations, is it planned that we will have daily hearings?

Senator TYDINGS. We will meet tomorrow morning at 10:30, and the only possible change I can see to that would be that the Senate would agree to some unanimous-consent agreement during the day to vote prior to 12 o'clock. We will certainly run from 10:30 to 12, and maybe longer, if we are not confronted with a vote in the Senate.

Tomorrow I hope you will have the answers to those two questions, Senator McCarthy.

Senator McCARTHY. I am sure the Chair will be satisfied with the information he gets.

Senator GREEN. With regard to this exhibit that has been put in as evidence, I would like to draw attention to some of the names on these sponsors of the National Council of American-Soviet Friendship, Inc., which is considered such a Communist group. Here are the Honorable Arthur Capper—

Senator TYDINGS. Senator Capper?

Senator GREEN. Yes. The Honorable Claude Pepper; the Honorable Elbert D. Thomas; the Honorable Joseph E. Davies, and a great many other similar names.

Senator HICKENLOOPER. There are a great many others that the Senator could read too, off that list.

Senator GREEN. If there are, I would like for you to read them.

Senator HICKENLOOPER. I do not want to take the time. That is an exhibit the Senator has put in to substantiate the fact that the person he alleges was a sponsor of an organization, and it seems to me we are wasting time.

Senator GREEN. And the names on it are significant.

Senator TYDINGS. No exhibit can be given in part under any rules of evidence that I have ever heard of, either before a Senate committee or anything else. You have to put it all in or keep it all out.

Senator HICKENLOOPER. That is what he has offered.

Senator TYDINGS. The Senator has read a letter and he has read one name. I am going to take the liberty of reading all the names:

Louis Adamic, a candidate for the Senate in Illinois; George F. Addes; Maxwell Anderson, playwright; John Taylor Arms; Max Bedecht; Mrs. Alice S. Belester; Dr. Henry Lambert Bibby; Mrs. Louis Bloch; Mrs. Anita Block; Simon Breines; Prof. E. W. Burgess; Hon. Arthur Capper. Was he a United States Senator at the time this was held? Charles Chaplin; Hon. John M. Coffee; Dr. Henry S. Coffin; Aaron Copland; Norman Corwin; Jo Davidson; Hon. Joseph E. Davies; Dr. Herbert John Davis; Hon. Hugh DeLacy, Member of Congress; Dr. Stephen Duggan; Prof. Albert Einstein; Max Epstein; Dr. Mildred Fairchild; Dr. Robert D. Feild; Lion Feuchtwanger; the Reverend Joseph F. Fletcher; Homer Folks; Dr. W.

Horsley Gantt; Dr. Caleb F. Gates, Jr.; Dean Christian Gauss; Ben Gold; Dr. Mortimer Graves; Dr. Harry Grundfest.

Also Dr. Alice Hamilton; Lillian Hellman; Mrs. Thomas N. Hepburn; Dr. Leslie Pinckney Hill; Prof. William Ernest Hocking; Dr. Walter M. Horton; Langston Hughes; Dr. Walter Hullihen; Hon. Stanley M. Isaacs; Dr. Millard H. Jencks; Prof. Howard Mumford Jones; Helen Keller; Rockwell Kent; Dorothy Kenyon; Dr. Serge Koussevitzky, leader of one of the great orchestras, I believe; Mrs. Thomas W. Lamont; William W. Lancaster; Dr. Emil Lengyel; John F. Lewis, Jr.; Prof. Robert S. Lynd; Clifford T. McAvoy; Judge Lois Mary McBride; Maurice Maeterlinck; Fritz Mahler; Dr. Thomas Mann; Frank X. Martel; Dr. Kirtley F. Mather; Lewis Merrill; Dr. George R. Minot; Mrs. Lucy Sprague Mitchell; Dr. Wesley C. Mitchell; Charles Michael Mitzell; Pierre Monteux; Mme. Pierre Monteux; Bishop Arthur W. Moulton; Hon. James E. Murray, United States Senator; Dr. Philip C. Nash; Dr. Robert Hastings Nichols; Eugene O'Neill; Dr. Marion Edwards Park; Dr. Frederick Douglas Patterson; Bishop Malcom E. Peabody; Hon. Claude Pepper, United States Senator; Prof. Ralph Barton Perry; Dr. E. C. Peters; Dr. John P. Peters; Henry W. Pope; Michael Quill; Carl Randau.

Also Anton Refregier; Elmer Rice; Wallingford Riegger; Paul Robeson; Col. Raymond Robins; Earl Robinson; Reid Robinson; Harold J. Rome; Joseph A. Rosen; Joseph A. Salerno; Miles M. Sherover; Raymond P. Sloan; Dr. P. A. Sorokin; Maxwell S. Stewart; Leopold Stokowski, leader of an orchestra; Raymond Swing, radio commentator; Genevieve Tabouis; Hon. Elbert D. Thomas; R. J. Thomas; Dr. Max Thorek; S. A. Trone; Philip H. Van Gelder; R. E. Van Horn; Professor George Vernadsky; Bishop W. J. Walls; Dr. Harry F. Ward; Leroy Waterman; Max Weber; Dr. Henry N. Wieman; Dr. C. C. Williams; Hon. James H. Wolfe; Dr. Max Yergan; Dean Mary Yost; Dr. J. J. Zmrhal; Leane Zugsmith.

I think that they all ought to be in there, so that we can judge from the association the full purport of the letter and the inference.

Senator Lodge. Before you go on, Mr. Chairman, I want to say once again that I am for having questions and I am for having the statements with the proper connotations and proper evaluation, but I think to interrupt the witness every single time and break up his continuity and destroy the flow of his argument, the way we are doing, is not the right procedure.

Senator Tydings. Just let me say something here in answer to that, Senator Lodge. I have never in my life been connected with any senatorial, legal, or other inquiry where an exhibit could be placed in evidence and only parts of it read. It is not only fair, it is incumbent upon this committee that the whole exhibit be placed before the press of the country if this is an open hearing, and not just the parts of it that may serve some ulterior motive.

Senator Lodge. Of course if we read the list on every single letter-head of every single thing that is put in here, we will be here until Christmas. I am not objecting to putting in the complete documents in the record; of course I am not objecting to that. I am objecting to this constant interruption of the witness so that he never gets a fair shake, that's all.

Senator GREEN. Mr. Chairman, it seems to me it is the only proper thing for us to do to interrupt. Here the witness has introduced a document, and he ended up his introduction by introducing the document as evidence of the Communist affiliations of Miss Kenyon. He ends up by saying, "other well-known Communists sponsoring the event were Howard Fast, Saul Mills, Ella Winter, John Howard Lawson, and Langston Hughes," and I wanted to ask the Senator from Massachusetts whether he thinks it is fair to pick out those names and omit the other names that were read.

Senator LODGE. I think the time to do that is after Senator McCarthy has made his statement. Then we can each one go at him. That is the way it has been done here ever since I have been here. I think the immemorial practice is to let the witness make a statement and then the chairman asks the senior man to ask questions, and then the senior man on the other side, and then he finally comes down to the low man on the totem pole and everybody has his chance to ask questions. That is the way it has always been done. For some reason that has not been made clear to me, whether it is to rattle or whether it is to confuse or something, I do not know, we have an entirely different procedure today.

Senator GREEN. What the witness is attempting to do is to give the impression of a certain instrument—I do not mean to say it is intentional, but the result of the names that he has selected gives a very false impression of the instrument.

Senator LODGE. And the Senator from Rhode Island is perfectly capable of clearing that point up. He is a very eloquent man. He is not a Philadelphia lawyer, he is a Providence lawyer, and when his time comes to question he can clear all those points up, and that is the orderly way to do it from the standpoint of the committee, from the standpoint of the presentation in the press, and from the standpoint of fairness to the witness.

Senator TYDINGS. Senator Lodge, if I may say this, if this were a hearing in executive session, that would be one thing, but these charges are going out all over the country in the press and they ought to go out with all of the evidence available, and not just selected parts of it. If it does not go out in that status before the people of the country, then the people cannot draw the full conclusion that the evidence presented warrants, and I think it has to go that way or it should not go at all, if we are going to have open hearings.

Senator GREEN. We are not attempting to introduce other evidence to contradict the witness or to supplement it. All we want is the full statement, and not extracts.

Senator LODGE. All the evidence is not available. I quite agree with the chairman and with Senator Green that it would be most unfortunate if reputations of innocent persons were in any way besmirched, but we cannot in any possible way clear up the wrong that has been done on the spur of the moment. The time to do that is after the Senator has made his charges. Then we investigate the charges. That is the way to proceed.

Senator GREEN. Mr. Chairman, as was brought out in the introductory discussion of this matter, this is a public meeting and charges go out and are spread all over the country in the newspapers, and if at the time a mistaken summary of a document is given, the correct summary won't catch up with it at all. The matter will be ancient

history and newspapers won't print it. The eloquent Senator from Massachusetts knows as a newspaperman that that is the fact, so it is important to have that false impression removed at the time the list of these people is given out to the press.

Senator LODGE. I also know that there are none of us here in this committee who have the information at hand to correct any misstatements that the witness may make.

Senator GREEN. The witness has given it to us to be given to the public.

Senator TYDINGS. Now that the Chair is overruled, all documents that are submitted will be read in full hereafter so that the people of the country may get all the evidence at the time.

Senator LODGE. That is perfectly all right with me. I have no objection to the documents that the witness puts in being read in full. What I object to is this constant interruption and hacking away at him all the time so he does not get a chance to make his argument.

Senator HICKENLOOPER. Just to clear up a statement of the chairman, the Senator from Wisconsin just submitted the Official Register of the United States, 1949, containing on page 490 the name of Dorothy Kenyon, Commission on the Status of Women, New York; salary and compensation, \$12,000 a year. Does the chairman intend to read the entire Official Register of the United States every time the Senator from Wisconsin wants to produce a name or something to prove a specific point?

Senator TYDINGS. I will read into the record the names of all the people on this Commission. I do not see any need to go and put all the consuls from Shanghai to Singapore on the one hand, and Iceland to some other place, in the record.

Senator HICKENLOOPER. But, Mr. Chairman, the witness only introduced that to indicate a position of employment of a particular individual.

Senator TYDINGS. That's right.

Senator HICKENLOOPER. The other names are not involved one way or another, other than the allegation that she was employed by the State Department.

Senator TYDINGS. And there is no allegation here that this is a Communist-front organization, but there was an allegation in the other case that that was a Communist-front organization, and therefore we ought to see who is in it, which is an entirely different matter.

Senator HICKENLOOPER. I just want to know whether the chairman is going to read the entire Register.

Senator TYDINGS. I would also draw the observation that the gentlemen on the right of me are now consuming more time than are the gentlemen on the left.

Senator LODGE. I deny that. I would like to have my comments drawn up against those of the chairman, and we will find out.

Senator TYDINGS. You should not complain and then adopt the very thing you are complaining about.

Senator LODGE. I am not doing that. No, I am not doing that.

Senator McCARTHY. Mr. Chairman, I think as I give the documents showing the Communist-front organizations that this individual has belonged to, you will find in almost rather a sizable number the names of some fine individuals. I think that it is possible that you yourself may be duped into joining, or having your name used on some Com-

unist-front organization. The reason I submit the vast number is that it is impossible for any normal individual, of normal intelligence, to be so deceived that they can act as sponsors for 28 different Communist-front organizations. I might say that I personally would not be caught dead belonging to any one of the 28.

Senator TYDINGS. That is opinion, Senator. We would like to have the evidence and the facts, and we can judge more from them than we can from opinions. We will have to form the opinions.

Senator LODGE. Surely the Senator can express opinions.

✓ Senator TYDINGS. If we are going to condemn people on opinion evidence, there won't be many people left in the end.

Senator LODGE. If we are going to prevent the Senator from expressing opinions, the character of this whole body is going to change.

Senator McCARTHY. I thank the Senator.

I might say that one of the grounds for dismissal of an employee who has top-secret clearance is his associations. As the Senator knows, if he is a banker and he is looking for a cashier and he finds that Mr. Smith chums with safecrackers, bookies, gamblers, cheats, and rogues, he won't hire Mr. Smith as a cashier, and that is the theory that I assume our State Department goes upon. If they find these individuals with unusual connections, a long trend, they can assume that they are unsafe risks. The Secretary has so stated, I believe.

In sponsoring the Red Dean of Canterbury's appearance in the United States a year and a half ago Miss Kenyon collaborated with such pro-Communists as Ben Gold, the avowed Communist leader of the Fur Workers Union, and Paul Robeson.

Here we have the singular situation of the Department of State refusing to admit one of the world's most prominent radical Communist churchmen and on the other hand one of the Department's prominent officials welcoming and sponsoring him to this country.

It would seem, Mr. Chairman, as though perhaps the State Department's left hand does not know what the other hand is doing; or perhaps put it the other way around. The right hand does not know what the left hand is doing.

I should now like to hand the committee exhibit 3. This is a cordial invitation to attend a dinner and presentation of the first annual award of the American Russian Institute to President Franklin Roosevelt for "Furthering American-Soviet Relations."

The event occurred on May 7, 1946, at 6:30 o'clock in the evening in the grand ball room of the Pennsylvania Hotel in New York City. The dinner cost \$7.50 a plate.

The American Russian Institute has been cited as subversive by the House Un-American Activities Committee, California Un-American Activities Committee, and the Attorney General.

Senator McMAHON. On what date, Senator?

Senator McCARTHY. What date were they cited?

Senator McMAHON. Yes.

Senator McCARTHY. I do not have the dates of the citation. I think the Senator will recall as well as I do the date the Attorney General put out his list.

Senator TYDINGS. Was this before or after the Attorney General put out his list?

Senator McMAHON. That is quite material. You see Senator Lodge, this is a perfect illustration of the value of a question at the proper time to clear up a statement of fact. Here is a dinner which is held under date of May 7, 1946, in New York City. The Senator proceeds to say that the organization that sponsored it was cited as subversive by the House Un-American Activities Committee, the California Un-American Activities Committee, and the Attorney General. Now, it is quite conceivable that a person would have been a sponsor on May 7, 1946, and have refused to have been a sponsor a year or a year and a half later, after the American Russian Institute had been denominated as being subversive. There is a perfect illustration of the value of questioning any witness, whether he be a Senator or anybody else, in order to try to convey what the truth of the matter is.

I think it is regrettable, Senator, that you have not that information with you at the present time. I shall secure it and put it in the record.

Senator TYDINGS. I am sure the Senator from Wisconsin sees the wisdom of what the Senator from Connecticut has so pertinently brought out—the great difference that there might be in a case like this, of an innocent person joining what he thought was a worth-while organization or movement or occasion or ceremony on the one hand, thinking there was nothing subversive about it, and who learns later that it is denominated as a subversive organization.

Now, certainly, don't we owe it to these people whose names we are throwing about the country, on the radio and in the press and in magazines and in the newspapers, to at least give them, those who have acted in good faith and with purely patriotic motives, the right to have the testimony surrounded by facts before it is given, so that we do not do infinite harm to people who, I am sure the Senator himself in some cases would say, are not Communists?

Senator LODGE. Before the witness answer that, my able friend from Connecticut addressed me. I do not agree with him at all that this is an example of why it is a good thing to interrupt the witness. It is perfectly possible to make a note of the fact that he did not mention the date and later on bring it out. In fact, I think that is a more effective way to do it. These questions of dates, I noted that myself and I made a note of it to ask the Senator from Wisconsin later, when my turn came to ask questions.

All I want to do is not to break the continuity of the argument. Then let him make the argument, and those who want to try to tear the argument down will have a chance to do it.

Senator TYDINGS. Let me say I thought I was speaking for every member of the committee when I said that I hoped we could conduct this investigation so that it would not be labeled either a witch hunt or a whitewash. In order to do that, if we are going to live up to that formula, it seems to me, if we allow a lot of statements to go in the record that are subject to instantaneous false impressions and conclusions, that we may not have intended to conduct a witch hunt but we are getting pretty close over on the other barrier.

I have no desire to shut off any testimony that the Senator from Wisconsin has, but I would caution him that when he makes a statement he ought to be able to supply the dates so that false impressions and false conclusions cannot be drawn from his testimony, which, even though we corrected it later, might not reach the press and the

radio, and I simply say that that is just justice, nothing more than simple justice.

Senator HICKENLOOPER. Mr. Chairman, I can say right now that the proceedings as far as they have gone this morning, if the proceedings as patterned this morning are to continue throughout this investigation, it is heading for a label of some kind, and I may have to name it.

Senator TYDINGS. I agree with you thoroughly, and I could name it too.

Senator McCARTHY. The Chair just stated that he thought these names should not be all bandied about the country. I have pointed out to the Chair, and I believe this was pointed out by the Attorney General, that in almost any one of these organizations labeled subversive you will find from time to time competent people's names listed. You will not find one individual belonging to 25 or 30.

Senator TYDINGS. That is drawing a conclusion, Senator.

Senator McCARTHY. When the Senator says we shall not put all these names out to the country, it is the Senator who is reading them. I am merely reading the name of this individual who belongs to 28 organizations that have been listed as subversive by the Attorney General, by the House committee, and other official bodies. Let us make it clear that you are referring to all of these names going out. I am not putting those names out; that is the chairman.

Along with the lady sponsoring this dinner appeared Lee Pressman, who has been named as a member of the Communist underground cell in the Government by Whitaker Chambers. Other well-known Communists sponsoring the event were Howard Fast, Saul Mills, Ella Winter, John Howard Lawson, and Langston Hughes.

Senator GREEN. There, I think that is a selected list that you have made up, is it not?

Senator McCARTHY. The present executive director of this subversive organization is Henry H. Collins, late of the State Department, who has been named by Whitaker Chambers as a member of the Communist spy ring operating in the Federal Government.

Senator HICKENLOOPER. Didn't you skip a paragraph?

Senator McCARTHY. No.

Senator HICKENLOOPER. I have another paragraph, following the list of names the Senator read in. I don't know whether the Senator intended to leave the paragraph out or not, or whether I have an accurate copy.

Senator McCARTHY. I beg your pardon. The Senator from Rhode Island interrupted, and I lost my place.

Other well-known Communists sponsoring the event were Howard Fast, Saul Mills, Ella Winter, John Howard Lawson, and Langston Hughes.

Although I shall discuss the unusual affinity of Mr. Phillip C. Jessup, of the State Department, for Communist causes later in this inquiry, I think it pertinent to note that this gentleman now formulating top-flight policy in the Far East affecting half the civilized world was also a sponsor of the American Russian Institute.

The present executive director of this subversive organization is Henry H. Collins, late of the State Department, who has been named by Whitaker Chambers as a member of the Communist spy ring operating in the Federal Government. It was in the home of Mr. Collins,

according to Chambers, that some of the microfilms of secret State Department documents were made. Collins was also one of those who refused to testify before the House Un-American Activities Committee as to whether or not he was a Communist Party member.

The Conference on Pan American Democracy has been declared to be a subversive Communist organization by the Attorney General of the United States, the House Un-American Activities Committee, and the California Un-American Activities Committee.

Senator TYDINGS. Senator McCarthy, would you put in the dates there, if you have them?

Senator McCARTHY. I think much of the material the Chair wants will have to be developed by the committee. I just cannot afford to hire the investigators to present a court case to the committee.

Senator TYDINGS. I thought you might have it and it would save us work; that is all.

Senator McCARTHY. I would rather the committee saved me some work.

Senator TYDINGS. You are making charges—

Senator McCARTHY. I am not making charges. I am giving the committee information of individuals who appear to all the rules of common sense as being very bad security risks. I am giving the committee information which I think they are bound to follow under the Senate mandate.

Senator TYDINGS. Let me follow you there.

Senator McCARTHY. Let me finish, Mr. Chairman. Let's have an agreement. When you ask a question, let me finish my answer, will you?

The Senate unanimously gave this committee a mandate. I think that mandate is to develop any information which on its face makes it appear that the individual concerned is a bad security risk. And I frankly do not—let's make this clear—have the staff to take each of the cases and develop it to the point of making a court case. You understand that.

Senator TYDINGS. You have left the committee in a rather embarrassing position, because the resolution which brings us here and which brings you here reads as follows:

In the conduct of this study and investigation, the committee is directed to procure by subpena and examine the complete loyalty and employment files and records of all Government employees in the Department of State and other such agencies against whom charges have been heard.

Without somebody makes a charge, or you call it a charge, what do we do then? How do we get the records? We are only authorized to get them, by the Senate language, if you or somebody makes a charge. You say you are not making any charge. We are in a pretty small position to issue a subpena.

Senator McCARTHY. Senator, let me say this. If there is anything you want me to do to make it possible for you to get those subpenas, I will do it. I am not in a position to file any formal charges. What you mean by a charge I do not know. If you want me to charge that from the evidence it appears that this woman is an extremely bad security risk, that she should not be in the State Department 1 hour, I will be glad to say that. If you tell me what you mean by a charge, what you want me to do so that you will under this

mandate be entitled to say to the President, "We want those files, all of them," you may be sure I will do that.

Senator TYDINGS. Senator, let me say to you that I think all that you have said up to now are charges, and you have given information that you have to support those charges as you see it. I would call them charges. Certainly we are not going to have an investigation without some charges being made, and the Senate itself put the language in. Fortunately I was not there the night the resolution was adopted. I only inherited it, and I have read it over six or eight times. I think that we are perfectly at liberty to get these files by any proper method that we can devise, because of what you are testifying. But I would label them charges, because I am sure you are charging these people with being either Communists or allied with Communists. You called it a Communist spy ring in the State Department, and I think all those things are charges, and I think it is our duty to investigate it. I think they are charges.

Senator HICKENLOOPER. Mr. Chairman, I take it the witness is actually charging that the people to whom he refers in these outlines of information are bad security risks. I take it the Senator is making that charge.

Senator McCARTHY. I am convinced of that. I think any normal man would be convinced of that. If I must do something in addition to that to make it possible for you to get the files, you can be sure I will do it.

Senator TYDINGS. I will consider that what you said are charges.

Senator McCARTHY. I will say before handing you this next document that it is difficult for me to understand the apparent perplexity of my Democratic colleagues on the committee with reference to the names that appear on these documents. I know the Senators are all aware of the fact that if the Communists did not enlist well-meaning and prominent persons in every phase of American life it would not be a front organization. When the FBI turned over the results of its probe of these front organizations to the Attorney General, it was well known that the names of prominent and reputable citizens were intermingled with the Communists and pro-Communists. Despite this knowledge he proceeded to declare without equivocation these organizations that I have specified as Communist front and as subversive and therefore dangerous to our national security; and I might say that the significance of these documents, Mr. Chairman, is not that this woman belongs to one organization that the Attorney General has said is subversive, but her long chain of activity starting from, I believe the first document is 1935, right up to date.

Senator TYDINGS. To reassure you, I do not know of anything you have said so far that we should not investigate.

Senator McCARTHY. Thank you.

Senator McMAHON. I gather, then, from what you have just said, that just because a person's name is on the list of sponsors of an organization which has been declared as—what is the language, "subversive"?

Senator McCARTHY. The Attorney General declares them subversive. Different committees have given them a different label.

Senator McMAHON. That that per se does not make a citizen suspect.

Senator McCARTHY. No. I think this, though, Senator. If you find someone in the State Department who is a member of a Commu-

nist front organization, then you should check the amount of activity he has had in that organization, his association with people who are known Communists. No, definitely not. There are some fine people who have been tricked into having their names placed on these. For example, I would not be surprised, Senator, if some of the members sitting at the table, who are certainly all loyal Americans, might have at some time or another received a letter from an organization, "Will you sponsor a dinner we are throwing for So-and-so?", and you might write back and say "All right."

I do think, however, when you get to people who are on loyalty boards, who are getting top secret clearance, then if you find they even belong to one Communist front organization we should go further. I think when you find that you have a long chain such as we have here, of 28, you have an extremely bad situation.

Senator McMAHON. The point you are making is that it is cumulative. One case might well be just casual and accidental, but your opinion is that it is cumulative, and if there are—how many has she been a member of?

Senator McCARTHY. Twenty-eight I have now. Most likely that is not the entire list.

Senator McMAHON. That is a great number and it is something to be looked into, and it would be very helpful, Senator, and of course I understand that you say you can't do it, but it would be very helpful to me in evaluating it to find how many she joined after the Attorney General went into them, and how many before.

This is said with no reference to this Kenyon woman, whom I never heard of before in my life, but there are some naive people in the country, too, that will join any old thing that comes along.

Senator McCARTHY. Someone so naive is a bad security risk, so naive that they would sponsor 28.

Senator McMAHON. I am not arguing that. I am just pointing out that it would be interesting to find out the dates this woman joined the organizations and when they were declared subversive.

Senator McCARTHY. That is one of the reasons I hope very quickly the committee hires a staff so that these matters can be checked into.

I give the committee exhibit 4, a letterhead of this organization dated November 16, 1938, going back 12 years. The members will note that over 11 years ago Dorothy Kenyon was a sponsor of this organization which held a conference in Washington on December 10 of the same year.

Her Communist associates in this enterprise included Langston Hughes, Rockwell Kent, Lewis Merrill, Mervyn Rathborne, and Dirk J. Struick.

Senator TYDINGS. Put in all the names, Mr. Recorder, in addition to those the Senator has named.

(Note.—Other names on the letterhead marked exhibit 4 are as follows:)

Prof. Donald McConnell
 Dr. David Efron
 Louis Adamic
 Dr. Wallace W. Atwood
 Eleanor Copenhaver Anderson
 Prof. Hugo Fernandez Artucho
 Eunice Fuller Barhard
 Alfred M. Blingham

Algernon Black
 Bruce Bliven
 Dr. Franz Boas
 Heywood Broun
 Erskine Caldwell
 Charlotte Carr
 Bennett A. Cerf
 Evans A. Clark

Gifford A. Cochran
 Dr. Gilberto Concepcion De Gracia
 Prof. George Counts
 Malcolm Cowley
 Prof. Horace Davis
 Prof. Jerome Davis
 R. E. Diffendorfer
 Bailey W. Dimeo
 Dr. William K. Draper
 Prof. Paul H. Douglas
 Dr. Henry Grattan Doyle
 John L. Elliott
 Prof. Henry Pratt Fairchild
 Prof. Irving Fisher
 Prof. Eugene Forsey
 Margaret Forsythe
 Frances R. Grant
 Alberto Grueve
 Sidney Hillman
 Prof. Arthur H. Holcombe
 John Haynes Holmes
 Quincy Howe
 Rev. William Lloyd Imes
 Stanley M. Isaacs
 Gardner Jackson
 Prof. Chester L. Jones

Max Lerner
 Marine Lopes
 Jean Lyons
 George Marshall
 Lewis Merrill
 Dr. Clyde R. Miller
 Prof. Gardner Murphy
 William Pickens
 A. Phillip Randolph
 David Saposs
 Prof. Margaret Schlauch
 Adelaide Schulkind
 Guy Emery Shipley
 James T. Shotwell
 Upton Sinclair
 George Soule
 Isobel Walker Soule
 Maxwell Stewart
 Isidore F. Stone
 William Wachs
 Prof. Goodwin Watson
 Roy Wilkins
 Dr. Max Winkler
 Dr. Stephen S. Wise
 Max Yergan

Senator McCARTHY. The Senator will note this, that you have the names of the same men who have been publicly labeled as Communists on practically each one of these Communist-front organizations as a sponsor or one of the top officers. You will note also that the respectable names that you will find on one or two of these do not permeate the whole file.

Senator TYDINGS. Go ahead, Senator. Conclude that page, and then we will try to quit; before you get to the next exhibit.

Senator McCARTHY. It might be of interest to the committee to know that Mervyn Rathborne, a cosponsor with Miss Kenyon, has just testified for the Government at the trial of Harry Bridges, stating under oath that he was a member of the Communist Party at the time of this conference and that he was frequently a visitor at the White House.

I think it is important that the committee know that the Communist activities of Miss Kenyon are not only deep-rooted but extend back through the years. Her sponsorship of the doctrines and philosophy of this ruthless and Godless organization is not new.

It is inconceivable that this woman could collaborate with a score of organizations dedicated to the overthrow of our form of government by force and violence, participate in their activities, lend her name to their nefarious purposes and be ignorant of the whole sordid and un-American aspect of their work.

Senator TYDINGS. That finishes exhibit 4. The committee will stand in recess until 10:30 tomorrow morning, in this place.

Senator McCARTHY. May I ask the Chair before you adjourn how long you plan on proceeding tomorrow?

Senator TYDINGS. I would imagine we would go for probably an hour and a half for certain, and maybe 2 hours.

Senator McCARTHY. In other words, to 12:30 or 1 o'clock.

(Whereupon, at 12:40 p. m., the hearing was adjourned, to reconvene at 10:30 a. m. of the following day, Thursday, March 9, 1950.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

THURSDAY, MARCH 9, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to notice, at 10:30 a. m. in room 318 Senate Office Building, Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, Hickenlooper.

Also present: Senators Connally (chairman of the full committee), McCarthy, Lucas, and Knowland.

TESTIMONY OF HON. JOSEPH R. McCARTHY, UNITED STATES SENATOR FROM WISCONSIN—Resumed

Senator TYDINGS. Senator, at the opening of yesterday's hearing I asked you or sometime during the hearing I asked you, if you could be in position this morning to give up the name of the individual that caused so much controversy yesterday. Would you care to respond to that request now?

Senator McCARTHY. I am very happy to do so, Mr. Chairman.

Mr. Chairman, I understand you would like me to answer the following questions in case No. 14. We are referring yesterday to case No. 57. I learned afterward you meant case No. 14.

Senator TYDINGS. I said No. 14, but I did not know what connotation you had.

Senator McCARTHY. Question No. 1: "Will you give the name of this individual?" The answer is yes. I now hand you that name, with a copy for each of the individuals on the committee.

Senator TYDINGS. Just a moment, Senator.

Senator McCARTHY. Let me finish the statement. Can I give you the name of the State Department official mentioned in the secret files in that case, and am I making any charge against that official?

The answer is no.

Senator HICKENLOOPER. Would you repeat what you said, Senator? I was busy looking here and did not hear what you said. You handed in the name of the individual.

Senator McCARTHY. Let me read you both of them. I understand the chairman wants me to answer two questions this morning. No. 1: "Will you give the name of the individual in case No. 14?" The answer to that is yes, and I have now handed him the name, with a copy for each member of the committee.

No. 2, can I give him the name of the State Department official mentioned in the secret files in that case, and am I making any charge against that official? The answer is no. The committee can make such charge against this or any other individual in this case or any other case as it sees fit. That is the task delegated to the committee by the Senate. Only those whom I name am I charging as bad security risks. However, the committee undoubtedly will find many whom it desires to charge in like manner.

If the chairman, now that he has the name of case No. 14, desires the name of the particular State Department official whom he referred to yesterday, I can tell him how to obtain it in a very simple and easy manner. That is by subpenaing the files. However, to get the complete story in this case, it undoubtedly will be necessary to get not merely the State Department's—and this is important, Mr. Chairman—loose-leaf loyalty and personnel files, the two files of the State Department, but also the files of the Civil Service Commission and the FBI.

If the chairman considers this morals case more important than the other cases, I have no objection whatsoever to recessing the hearings until the committee obtains the files.

Senator TYDINGS. Senator, might I ask you whether the name of this individual is in your files?

Senator McCARTHY. No.

Senator TYDINGS. It is not?

Senator McCARTHY. No.

Senator TYDINGS. It is not in the file in case No. 14?

Senator McCARTHY. I have given the chairman all of the information in case No. 14 on the Senate floor. There are a great number of names in the secret files, in the FBI files, and the Civil Service Commission files. He will find those names by, as I say, subpenaing and getting the files.

Senator TYDINGS. When you testified in this case—and I just want to clear it up—you said:

In this case—

that is case No. 14—

a CSA report of September 2, 1947, is replete with information concerning the attempt of a high State Department official—

and so forth.

Now I assume that the information which is so replete did not contain the name of this high State Department official.

Senator McCARTHY. I am sure the chairman will find all the names he is interested in in that file. I tell the chairman those are the secret files to which I have not access. I have the information. I am sure the chairman will find that every word, every single word, that I have stated on the Senate floor in regard to this case is true. If the chairman wants the name, he can get the name. I can't. I do not have subpena powers. If the chairman is interested in this case, he can now test the authority of the committee and, as I say, if the chairman thinks this particular morals case—this is principally a morals case, understand—is of sufficient import, I have no objection whatever to recessing—not that my objection would be controlling, understand—letting the chairman subpena the files; and, if upon examination of those files he finds that he wants to investigate some individual other

than those I have named, obviously that is completely up to the chairman.

Senator TYDINGS. I would like to say, Senator McCarthy, we will in due time, I am sure, attempt, and I believe obtain, access to all these files. What I was trying to ascertain this morning was whether or not your photostatic copies, which you said you had, of a great many of these cases—I assumed all of them—had the name of this person in your own files, and I understand that you say it is not there.

Senator McCARTHY. I do not have the name of the individual. Undoubtedly his name will show up from time to time in my files, but I as of now cannot identify the individual to whom you refer. But there is nothing mysterious about any of these names, Mr. Chairman. If the Chair is so anxious to get that name, he can recess this very minute and go over and say to the Secretary of State, "Let me see the file in case No. 14. I want the names." Then, if the Secretary of State says you cannot see them, that that is a secret from you, the Chair has the power to subpoena. Mr. Chairman, don't expect me to give you all the minute details of these files.

Senator GREEN. Apparently Senator Tydings has not made clear the point. It isn't that we want to know the names, but we wanted to know whether you knew the names.

Senator McCARTHY. I have told you that I cannot give you the name. I do not know it at this time. I can try and get it for you.

Senator HICKENLOOPER. I may say that the point certainly has not been made clear to me as yet. I don't know what the purpose of this persistent inquiry on a matter which this committee can readily find out if we just subpoena the files and get hold of the information is. I think the Senator has made clear that he does not have all the minute details, and I take it that it is a part of the duty of this committee to get hold of those files and to get hold of the intimate and detailed information. So, I agree with the Senator from Rhode Island that the point probably hasn't been made clear.

Senator McCARTHY. I might say I have a very strong suspicion as to the name of the individual. I will not give the Chair any suspicions. I understand that certain other—in fact, one of the members of one of the investigating committees called me and told me he thought he knew the name of the individual. He might be able to help you. I can give you that. But it is much simpler to get the name definitely and certainly by calling and getting the FBI file in this case.

Senator TYDINGS. Thank you, Senator. We will endeavor to get the names of all people who are involved in this case from all of the files that are pertinent to this case. But I don't want to pursue the matter unduly. I simply wanted to ascertain whether or not the name of this man was in file 14 of your own records, and I understand from your statement that the answer is "No."

Am I correct or wrong?

Senator McCARTHY. The name of the individual is not in my file No. 14, period; at least, not that I know of. When you ask do I know his name, I have a strong suspicion as to what his name is, but the Chair can find out definitely.

I am very curious, incidentally—

Senator TYDINGS. I want to get on with the testimony, but I would like to tell you that the reason I have asked you this question again

was this: You say, "In this case a CSA report of September 2, 1947, is replete—is replete—with information covering the attempt of a high State Department official to induce several individuals who had signed affidavits reflecting adversely upon the employees to repudiate their affidavits," and it occurred to me that if you could make that statement, obviously, the name of the individual would be in your files, and I thought we could get it very quickly that way and act on it very quickly in accordance therewith.

But now that you have testified that the name of this individual is not in case 14, although you say it is replete with information, there is nothing else for us to do but look elsewhere for the name, as you obviously do not have it.

Senator GREEN. Mr. Chairman, I do not think that necessarily follows. The witness has several times limited his reply to saying, when asked about the source of his statement that you have read, that he did not have the name in file 14. I would like to ask him whether he has it in any other files.

Senator McCARRIHY. Let me put it this way, so there is no doubt in your mind: I think I know the name of the individual. I have naturally written that name down. It is in my files. I have seen no original, no document, upon which I can definitely state the name is John Jones or Pete Smith. That is available to you, gentlemen. I do have papers, any number of them. I have information from individuals indicating various names. I do not have any documentary proof of that, and I am sticking to that. Do you understand me now, Senator?

I have a very strong suspicion. I think I know the name, but it is too easy for you gentlemen to find it out for me to start giving my suspicions, to give you hearsay of what John Jones or Pete Smith has told me. When I say I do not have the name, I have seen no original document stating what his name was. I have not seen the original file giving his name. I have not seen a photostatic copy of that file giving his name.

You, gentlemen, apparently know his name also. I think I know the name. If you know the name, which I assume you do, you can proceed to make any charge you care to against this individual.

The Senator has referred to this as a "mystery" case. I don't think there is anything mysterious about the case to the Senator. I am slightly mystified as to the importance of this particular individual. I think that case is important, you understand, or I would never have mentioned it on the Senate floor. I think it is important. But let me repeat that, while I feel I am reasonably certain I know his name, I think the Senator who is now addressing me knows it just as well as and better than I do.

I have no documentary proof, no original file, upon which I can say definitely "The name is John Jones" or "Pete Smith." I have given you the name of the individual in case No. 14. In his file you will find documented everything which I said on the Senate floor, everything I have said about this man, and I intend to stick to facts that are completely documented. I hope that is clear, Senator.

Senator GREEN. I don't think your answer is responsive to my question. You mistake the purpose of it. The purpose is not to find the name of the individual; it is to find out how accurate the foundation is for your charges.

Senator McCARTHY. That you can find out by obtaining the files.

Senator TYDINGS. Let the Senator finish his question.

Senator GREEN. The question is not of the fact, but whether your charges are based on facts. This is an illustration that I would like to follow up.

I do not yet understand from your answer whether or not this charge, where you say the files are replete with references to this individual and yet you cannot say whether you have his name or not. And I want to know whether there is, not in file 14 alone but in any other file on which your charges are based, the name of this individual.

Senator McCARTHY. Senator, if you want to know whether or not my charges are true or false, the best way in the world to find out is to get the file. I have told you what is in the files. That file can be subpoenaed by you. You understand that, Senator. And that is the best way in the world that you can determine whether every word I have spoken here is true or false. We have given you the subpoena power. The entire Senate said to this committee, "We want this committee to go into those files and find out whether or not what McCarthy said is true," and the easiest way to do that is to get those files. If I am saying a single word that is not true, I know that many in the administration will enjoy proving it. The best way they can prove it is to bring down all those files.

Now let me make this clear: I and the public will not be satisfied with a loose-leaf State Department file in which you can shove in and take out material. Unless you get all the files, so you are sure you have them, and I will tell you how to do that without any difficulty, when you do that, then you will find that every word, every word, that I have given you as to what those files contain is, so far as I know, absolutely true.

Now, the simplest and easiest way to find that out is to get those files.

Senator GREEN. As I have stated to you several times, the object of this question is not to find out whether it is true or false; it is to find out how far you relied on facts in your possession for making the charges.

You have said that your files are replete with references on which you based an accusation against a high official of the State Department.

Senator McCARTHY. Not my files. I said the State Department files. I didn't say copies of files in my possession. If the Senator will read that statement, he will see that I said "the files"—referring to the State Department files, the FBI files, the Civil Service Commission files—"are replete with that information." I repeat it now. I repeat it, Senator, that every word that I have given you, every piece of evidence as to what those files contain, you will find is there if you will get the files.

Senator GREEN. I am going to be persistent, and I am going to get an answer out of this or else get your refusal to answer. My question is whether there is in your files the name of this individual.

Senator McCARTHY. I think I know the name of the individual.

Senator GREEN. That isn't what I asked.

Senator McCARTHY. Let me finish, Senator, please. I am reasonably certain I know his name.

Senator GREEN. That isn't what I asked.

Senator McCARTHY. You be quiet until I finish.

Senator TYDINGS. Let the witness answer in his own way.

Senator McCARTHY. Thank you, Mr. Chairman.

I am reasonably certain I know his name. I have nothing in my files upon which I can base a definite, documented answer. Therefore, I am not going to guess for you, Senator. I have told you this, and let me make it clear. Unless I have seen the document showing the name of that individual, I will not try and give it to you. Is that clear?

Senator GREEN. The question is perfectly clear, but the answer is not. The question is: Is there in your files the name of this individual?

Senator McCARTHY. Senator, I don't know, because I don't know definitely what his name is. There are many names in my file. Undoubtedly his name is in some of those files; but, unless I know definitely that he is this particular State Department official, I can't answer that.

Now the Senator can get that. He can find it out very simply. He can get it in half an hour by calling Secretary Acheson.

Senator TYDINGS. Senator, you can proceed in a moment, but, without wishing to be captious about it, I don't think the witness is testifying to the accusation here by telling us over and over and over again what we can do. I think the witness ought to be more responsive to the direct question. I say this in the best of temper and with no desire to cut him off, but I do think he ought to say "I have it" or "I haven't it" and not how we can get it.

Senator McCARTHY. I have made it very clear, Mr. Chairman. I am sure the chairman is not dull. No one has ever accused him of that. The chairman understands exactly what the situation is. He knows the names in that file. I think I know them. I haven't seen the original. I haven't seen a photostatic copy of the original so I cannot tell this committee whether the name is John Jones or Pete Smith, and until I can give them that information I will not attempt to guess at it. This is not going to be any guessing contest so far as I am concerned, gentlemen.

Senator GREEN. That is just what we want to avoid—a guessing contest.

Here is an individual, a high official in the State Department, against whom there is an accusation. I am not asking what his name is; I am asking whether in your files his name is.

Senator McCARTHY. I have just gotten through telling you that I do not know definitely what his name is, period.

Senator GREEN. That is not the answer to the question.

Senator McCARTHY. That is the answer you will get.

Senator GREEN. I am not asking you what the name is. I am asking you whether you know the name is there—whether you know it or not.

Senator McCARTHY. If I do not know definitely what his name is, how can I know whether it is there? Your name is in my files, perhaps; I don't know. Not as a Communist, you understand.

Senator GREEN. I would not be surprised, in view of the long list of very prominent people and people of highest position in the world. I should judge it an honor to be on some of those lists you have put in.

Senator McCARTHY. Just a minute. If you think it is an honor to be on any of the lists that I am giving you—strike that.

Senator HICKENLOOPER. Mr. Chairman, I might suggest that these organizations have been declared subversive by the Attorney General, who is a member of the Senator's own party, and it is an official determination of the Federal Government bodies that these are subversive organizations. If the Senator can take comfort out of that—

Senator GREEN. The list seemed to be bipartisan so far as I can distinguish.

Senator HICKENLOOPER. But the organizations have been declared to be subversive.

Senator GREEN. As I have said several times, and I am going to stick to it, I haven't yet an answer to my question. Do you know whether the name of the individual to whom you have referred, appearing in your files, not only once but the files are replete with his name, do you know whether his name is there or not?

Senator McCARTHY. Let's first answer the first part of your question. We will go right through it. You will get all the answers you want. It may not be the one you want. Can we have an agreement that when you are talking I will be quiet, and when I am talking you will be quiet?

Senator TYDINGS. The witness will proceed until he has completed his answer, without interruption.

Senator McCARTHY. Can we have that understanding?

Senator GREEN. I think that is an understanding.

Senator McCARTHY. You are speaking about honorable people, honorable organizations. Here is what Secretary Acheson said about the organizations that I have cited to you. He said this 4 days ago. Referring to the security files, he said:

Participation in one or more of the parties or movements referred to above, or in organizations which are fronts for, or are controlled by, any such party or movement, either by membership therein, taking part in its executive direction or control, contribution of funds thereto, attendance at meetings, employment thereby, registration to vote as a member of such party, or signature on petition to elect a member of such party to political office or to accomplish any other purpose supported by such a party, or by written evidences or oral expressions by speeches or otherwise, or political or economic or social views—

he lists those people as bad security risks. I am giving you the names of organizations that come within the purview of that. If you think these are honorable organizations you are entitled to that opinion.

Now you asked the next question. Now you say, "Is there in your file the name of the State Department official referred to in the secret files of case No. 14?" I have told you that I have a strong suspicion as to who the individual is. I have no way of definitely knowing. There is in my file the names of individuals whom I suspect of being mentioned in that particular file, but not being able to say definitely it is John Jones or Pete Smith, I cannot tell you whether he is in the file or not.

Senator TYDINGS. I would like to interject for a moment. Inasmuch as a charge has been made by a witness now on the stand that attempts have been made to doctor the record in the State Department, I would like to serve notice on the witness now that we may subpoena or ask him to deliver his own files, so that we can check as to whether the information that he has obtained in his photostatic copies ties in with the loyalty and other files that we will, I hope, in the course of time examine, and I will ask the Senator now to keep

those files intact, with all the papers in them, so that we may make the comparison at the proper time to see whether or not the State Department files and the photostats which he allegedly had of them contain the name.

Senator McMAHON. Mr. Chairman, as I understand it, yesterday you notified Senator McCarthy that this case was to be the subject of discussion today.

Senator TYDINGS. That's right.

Senator McMAHON. I take it, Senator, that you have prepared yourself and brought with you everything that you have on case 14?

Senator McCARTHY. Everything of any moment that I have on case 14 has been read into the Congressional Record.

Senator McMAHON. Will you show me what you have on case 14?

Senator McCARTHY. Just read the Congressional Record.

Senator McMAHON. Will you produce for my inspection what you have on case 14?

Senator McCARTHY. I am telling you what I have is in the Congressional Record.

Senator McMAHON. Or do I have to get a subpoena for it, Senator?

Senator McCARTHY. Senator, I have gotten through telling just now that what I have in case 14 is in the Congressional Record.

Senator McMAHON. Just a minute, Senator, if you please.

Senator McCARTHY. May I finish?

Senator TYDINGS. Quiet, first.

Senator McCARTHY. May I finish the answer?

Senator McMAHON. I have a question pending, and I insist upon an answer to it.

Senator TYDINGS. Will the reporter read the pending questions?

The REPORTER (reading): "Will you produce for my inspection what you have on case 14?"

Senator McCARTHY. If somebody will hand me the Congressional Record I will produce for you all I have on case 14. It is a very complete case in the Congressional Record. That is what I have on case 14.

Senator McMAHON. Senator, you have brought with you your file on case 14 and all related papers, according to your own statement, of any consequence. Will you or will you not produce them for my inspection right now?

Senator McCARTHY. I will produce for your inspection everything I have in case 14. It is all in the Congressional Record. That Congressional Record refers to secret State Department files. The information with regard to what is in those files is in the Congressional Record. If the Senator questions the accuracy of what I have put into the record, the only way he can determine—the only way he can determine—whether that is accurate or not is by getting the State Department, the FBI, and the Civil Service Commission files.

So there is no question in your mind, all of the information, all of the information, which I have on case No. 14 is in the Congressional Record. If the Senators wants that produced, I will have to ask him to ask one of his clerks to get me a copy of the Record, turn to page 2050 and 2051, and he will find everything.

Senator McMAHON. Mr. Chairman, I again direct a simple question to the Senator from Wisconsin, and I ask the Senator whether or not he will produce for my inspection and the committee's inspection every-

thing that he has on case No. 14 in his possession. I am not interested in looking at the Congressional Record; I am interested in what information the Senator has in his possession, and I would like to see it. I would like to see it now. If he won't give it to me, that is his privilege.

Senator McCARTHY. I am glad to give it to you, Senator.

Senator McMAHON. Let me have it, Senator.

Senator McCARTHY. Let me finish, please.

Senator TYDINGS. Let the witness answer.

Senator McCARTHY. I will be glad to give it to you. I gave the Senator all of the information I had on case No. 14. That is the extent of the file. It is all in the Congressional Record. Now, if the Senator questions the truthfulness of that, the only way he can determine it so far as I know is by subpoenaing the files. All the information is in the Congressional Record.

Senator TYDINGS. Maybe I can, by being an observer to the colloquy that is going on, help to clear it up by asking one question. Have you in your possession evidence, papers, photostatic copies, or other matters which will support what you put in the Congressional Record?

Senator McCARTHY. Have I in my possession evidence, papers, photostatic copies, on everything that is in the Congressional Record?

Senator TYDINGS. I didn't ask you that.

Senator McCARTHY. Let me answer, will you, Senator?

Senator TYDINGS. Let me state the question again, Senator. Have you in your possession any paper, memorandum, photostatic copies, affidavits, other materials, which will support the charges in whole or in part that you put in the Congressional Record in case 14, to wit, that a high official in the State Department has attempted to doctor the records of the loyalty committee passing on applicants for office and those who held office?

Senator McCARTHY. Everything in the Congressional Record, insofar as I know, is absolutely true. There is no doubt about that. If the Senator questions that he can determine it very easily. As to slips of paper, notes, and such like, there are none that I can give the Senator.

Senator TYDINGS. I didn't ask you that. I didn't ask you whether there were any you could give me. In order to end the controversy, I asked you if you had in your possession any material, memoranda, affidavits, photostats, or other papers or evidence, to support any or all of the charges made by you in case 14. The answer is you either have them or you don't have.

Senator McCARTHY. All of the supporting evidence, all of it and plenty of it, documents, affidavits, what have you, all of that evidence, is in the files and not in my office. By the files I mean a combination of the four files, State Department loyalty files; personnel files, the Civil Service Commission files, and the FBI files. That is where all of the supporting documents are. They are not in my office.

Senator TYDINGS. I didn't ask you that, but I will go back to Senator McMahon, and I ask his pardon for interrupting. I thought maybe that one question might bring it to a head.

Senator, I apologize.

Senator McMAHON. That's all right, Senator.

I am left with the unfortunate opinion that the Senator has material in his possession on this case which he refuses to turn over to the committee. He again and again has stated that we can go to other places

to get it. He again says that everything he has he has put in the Record. But I think if I were in the Senator's place, what I would do is say, "Yes, here is what I have on case 14" and turn it over to us. I am very much disappointed, Mr. Chairman, that the Senator takes the attitude that he does, and won't give the committee the matters that are in his possession which bear upon this very serious case. I regret very much that the Senator takes that attitude.

Senator McCARTHY. May I answer that, Mr. Chairman?

And I regret very much, Senator, that this committee seems so vitally interested in find out whether they can get the names of anyone in the State Department, good, loyal Americans, who may have given no information. You are not fooling me, Senator. I know what you want. I know what the State Department wants. They want to find out who is giving out information on these disloyal people so their heads will fall, and so far as I am concerned, gentlemen, no heads of any loyal people in the State Department will fall, none of those heads will fall, because of their having possibly imparted information to me.

You are not fooling me, Senator. You know the information—let me finish. You know the information is in the file. You know you can get it. You know that if you want any of those names you can get them.

I know—I have been informed and I am sure of it—that the State Department is very curious to know whether or not someone in that Department is telling me who has communistic activities, who belong to these Commie-front organizations. I know they want those names.

I am very surprised and disappointed, Senator, that this committee would become the tool of the State Department, Senator, not to get at the names, the information, of those who are bad security risks, but to find out for the Department who may have given me information so those people can be kicked out of their jobs tomorrow.

Senator TYNDALL. I am not going to ask a question. I just want to say that the chairman of this committee, and I am sure with the support of all members of the committee, is going to get every scrap of evidence in any files, any place, that have to do with any charges brought before this committee. I said this investigation is going to be thorough, and I don't mean maybe. So far as that is concerned, the investigation will go to the *n*th degree on every scrap of evidence that is available.

But that has nothing to do with the immediate matter before the committee.

Senator McMAHON. Now, Mr. Chairman, I am profoundly shocked by the irresponsible speech that has just been made by the Senator from Wisconsin. His imputation of me, of the members of this committee, of any such motive in asking that question, is something I repudiate and denounce. It is unworthy of any Senator of the United States.

We are engaged in responsible business. If there is to be this kind of irresponsible talk, it won't be in the best interests of the United States. I say to you, Senator, when you start making charges of that kind against me you had better reflect on it more than once.

Senator McCARTHY. Senator, you can be sure that everything I say has been very carefully reflected upon.

Senator McMAHON. I doubt it.

Senator McCARTHY. And I think that that attempt—I know—is going to continue through this hearing, the very clear-cut, obvious attempt, not to get at the facts, not to find out what is in the files. You know you can find it out. But this obvious attempt to try and find the name of some State Department official, some loyal person who has come down to a Senator and said, "Now here are facts. Here are things that should be brought to the attention of the Senate"—to try to get their names so their heads will fall I think is shameful. I think it is.

Senator TYDINGS. The questions which I directed to you, and I assume that the questions which other members of the committee have directed to you, are not calculated by any stretch of the imagination to ask you where you got this matter and I had no thought of that in the question. My question simply was, Did you have the matter and would you be willing to tell the committee what that matter is? I don't want to know who gave it to you. I don't want to know how you got it. But I would like to know what it is so that we can have evidence here upon which to proceed.

Now, the question that I asked was simply this: Have you in your possession any memorandum, any affidavit, any papers, any photostats or other material, which would tell us who this individual is—not where you got it, not how you got it, not who gave it to you, but, have you the material?

Senator McCARTHY. Let me answer the first half of your question first. You say it isn't your intention, it is not your desire to find out where I have gotten this information. The Senator from Connecticut, Mr. McMahon, has just ordered me to produce my file and give the entire file to him so he can check and see who did give me this information.

Now, No. 2, you have asked whether I have in my possession photostats, affidavits, and such like. I again tell you that all of the affidavits, all of the photostats—

Senator TYDINGS. Why don't you say you haven't got it or you have got it?

Senator McCARTHY. Let me say all the photostats are easily accessible to you. You can get them without any trouble at all. They are all in those files.

Senator TYDINGS. If we subpoena those records, which I hope we will never do, we would get the names of the people who gave the information to you, if that is in your file. I am not after that at all. I am after the memoranda and the photostats of the State Department and other loyalty agency files that might be in your records, not who gave them to you. Do you or do you not have that information in your possession?

Senator McCARTHY. Senator, if you are after the material in the State Department files don't come to my office. Go to the State Department. You will get it there, Senator.

Senator HICKENLOOPER. Mr. Chairman, may I suggest that there has been reference to legal procedure here in the past. There is such a rule, of course, which is well known to all members of this committee, as best evidence, and the courts without exception recognize that hearsay or copied documents are not available when the best evidence, which is the original and fountainhead of information, is available. I suggest that the files are available which the Senator

says will substantiate his charges, and the best evidence is the files which are the property of the United States Government. I think all he is suggesting is that we get the files, which is the fountainhead of information, and I hope we do get them.

Senator TYDINGS. Senator Green?

Senator GREEN. Mr. Chairman, in reply to what my distinguished colleague has just said and to remind him, these cases, in spite of the obvious attempt of the witness, are not being answered on the basis which he assumes. We are not asking for the best evidence as to what has happened. We are seeking to know the basis that he had for his charges on the floor of the Senate.

Senator HICKENLOOPER. That is exactly what disturbs me.

Senator GREEN. I would like to finish my statement, if I may. May I proceed?

Senator TYDINGS. Go ahead.

Senator GREEN. The point is, what basis has the Senator for his charges on the floor of the Senate? Or was it simply guesswork in the hopes that it might start a general investigation of the State Department files? He did not limit himself to a simple general statement that he suspected the State Department of having certain papers and doing certain things. He made specific charges, and my questions were directed to finding out what was the basis that he had for making the charges, or whether he had any. He has made the charges, and he says now, as I understand it, if my understanding is correct—perhaps my mind doesn't follow his; perhaps he doesn't wish to give it—but however, he has not answered the question, which was to find out whether he had or had not a basis for the charges.

He says, "Go elsewhere and prove if my charges are false or true." That isn't the point. The point isn't getting the best evidence of the facts of whether there has been disloyalty or not. The point is whether the Senator had any basis for his charges which he has made, and which he said he was ready to prove before this committee.

Senator TYDINGS. Senator McCarthy, I want to repeat again—

Senator McCARTHY. May I first answer the Senator's question?

Senator TYDINGS. There is no answer. He was making an observation to Senator Hickenlooper's proposition. He didn't ask you a question.

Senator McCARTHY. I thought it was a question.

Senator TYDINGS. I would like to say again and again and again and again and again and again that this committee will exhaust every avenue, investigate, request, and I feel sure obtain, all the files that are in question.

Senator McMAHON. Except his.

Senator TYDINGS. Just a moment.

That we will do. The pertinency of this particular question grows out of your own testimony, where you say:

In this case a CSA report of September 2, 1947, is replete with information covering the attempts of a high State Department official to induce several individuals who had signed affidavits reflecting adversely upon the employees to repudiate their affidavits.

Now, inasmuch as the charge is here made that there have been attempts to alter these records which we will in due course examine, it is important for us to know when we do examine them whether they are all there, whether the things that you have asserted we will find

are all there, without any alteration, and if you have photostats that were made prior to this hearing and prior to the time you made your testimony on the floor, it is important for us to know that the same record is still there, and the only way we can be sure of that is to compare your photostats that were taken before you spoke on the floor of the Senate on February 20 with what we shall find in those files, otherwise we shall never know whether they have been tampered with, which you yourself, in your own testimony, say was the result of an attempt, at least, to alter them.

So therefore you can see, as a good lawyer and judge yourself, the pertinency of making sure that the best evidence is all there. It is right. The Senator from Iowa is perfectly right. We must have the best evidence to draw our conclusions upon. But we must proceed so that we know that when we get to the best evidence the best evidence has not been altered or changed during the course of the controversy.

So, therefore, I would like you to see the pertinency of this matter and tell us whether or not you have in your possession photostats or other material that will substantiate the charge made in case 14.

Senator McCARTHY. Let me answer that, Senator—and we are not fooling each other in this case, you understand.

Senator TYDINGS. I am not fooling anybody. I am out in the open and aboveboard.

Senator McCARTHY. You say it is important to know what photostats I have, if any. I know there is nothing that the State Department would like better than to know what photostats I have. You have and I have heard rumors that the State Department is rifling the files. We know that that is the kind of rumor that would be current; we do not know whether this is true or false. We know also that if the State Department desired to rifle any of these files it would be very important to them to know what photostats, if any, I had, so they won't be caught short.

I might say this: If I have any photostats, then the committee should be interested in keeping the particular photostats which I have absolutely secret—

Senator TYDINGS. You're right.

Senator McCARTHY. Until they have seen the State Department files. I think when we get through with those files, Senator, then the general public should know definitely whether or not they have seen all the files, and if I have any photostats in my possession they would become extremely valuable to the committee if those photostats only became valuable after the State Department files have been opened. Those photostats, if I have any, would be extremely important today to any State Department official who was desirous of rifling a file.

Senator TYDINGS. Senator McCarthy, you are right.

Senator McCARTHY. You can be sure of this, Senator: That I will give this committee every bit of help I possibly can, to help them get at the truth; and, I will resist any attempt which, in my opinion, is aimed toward giving the State Department officials information which they are not entitled to at this time, and any attempt to aid them in the way of a whitewash of any individual.

You can be sure of that help from me, Senator

Senator TYDINGS. Waving aside the imputation that the committee, which I do not think you meant, is going down to help the State Department, in the event any papers are missing, or any other imputation that might be there—as chairman of the subcommittee, and speaking for all the members of the committee, I would consider it a matter of extreme secrecy, and pledge on our part that we keep your files away from everybody so that when we did investigate the State Department files, they would have no knowledge of what was in your files at all. We would simply use them for comparison, to see whether or not the allegation that tampering has been attempted, had actually taken place; and, under no circumstances would the files that you have be commended to the State Department so that they, if they had people of this kind down there, could alter them.

I see your point and I agree with it, and it was not our intention to get these files to turn over to the State Department so they would have any knowledge of it.

The point in getting it was to make sure that the allegation which you have made in this particular case has not been carried into practice in this, or any other case, to wit, tampering with these files.

Senator McCARTHY. Let me assure the chairman that—

Senator TYDINGS. I agree with you.

Senator McCARTHY. In my opinion, if the committee employs a competent staff, in my opinion we will have no difficulty whatsoever in determining whether or not the complete files are turned over to the committee.

Senator TYDINGS. We do not want to detain your testimony. I am going to summarize it here in the record, just as I understand it:

That you, this morning, will not give us the name of this individual; that you are not saying that you do or do not have the name of this individual—

Senator McCARTHY. That is incorrect.

Senator TYDINGS. In this file.

Senator McCARTHY. That is incorrect.

Senator TYDINGS. Then, you do have the name of this individual in the files.

Senator McCARTHY. I have told you about 10 times, over and over—I have told you before that I have a strong suspicion, I have great reason to believe I know his name. I have seen no original document, no photostat of an original document which proves to me conclusively that I have his name; and until I can give you the definite information as to what his name is, I do not feel I should give you any name; and I have stated also that you can get the name by going to the files—

Senator TYDINGS. I understand that; but then, do I understand you to say that you do not know whether you have the name or not?

Senator McCARTHY. No.

Senator TYDINGS. What do I understand then?

Senator McCARTHY. Exactly what I said, Senator. I do not know what you understand, but the record is clear. I have told you that I have no way of definitely knowing the name of this particular individual.

Senator TYDINGS. You have no way of knowing it?

Senator McCARTHY. Definitely knowing it. I think I know his name. His name will be found in the files, in the secret files. The

Senator can get those files, so if the Senator actually wants any names, he can get them without holding up this hearing for 2 hours this morning.

Senator GREEN. How do you know his name is in the secret files?

Senator McCARTHY. Senator, if you question that, you can get the files and look at them.

Senator GREEN. I am not asking you that. I want to know how you know.

Senator TYDINGS. Answer the question.

Senator GREEN. The question is: You say you know the name was in the secret files—how do you know the name is in the secret files?

Senator McCARTHY. If the Senator will get the files and look at the files, he will find the name. He will find that everything I have told him is in that file.

Senator GREEN. I am not asking whether the name is there or not. I want to know how you know it. I cannot examine your mind. You will have to tell us how you do know the name is in the secret files.

Senator McCARTHY. I have said before that I know; and I am very disappointed in this—this committee has spent now a great deal of time trying to find out whether I will give them the name of some loyal employee in the State Department who told me what was in the file, who has given me the information—I am very much disappointed in that, Senator. I think that is entirely improper. You and I know that if I give the name of anyone I have gotten information from, anyone over there, if his name were made known, his job would not be worth a snap of the fingers.

Let me make it clear, if the Senator wants the name, he can get the files and he will see the name.

Senator GREEN. I cannot avoid the conclusion that you are trying to evade the question.

Senator McCARTHY. You think so?

Senator GREEN. I did not ask you for the name. You stated that the name was in the secret files of the State Department. I asked you how you knew that it was in the secret files of the State Department, unless you have, for instance, a photostatic copy. If you say that, that will be the answer; if that is not the answer, what is the answer? How do you know?

Senator McCARTHY. I think the Senator should be more concerned with finding out whether the information I have given is true or not, than trying to find out my source of information, if any. He can find out whether the information is true by getting the file.

Senator GREEN. You refuse to answer my question?

Senator McCARTHY. No; I don't refuse to answer your question.

Senator GREEN. Please answer it—

Senator TYDINGS. Turn back and read the question of the Senator from Rhode Island.

(The record was read by the reporter.)

Senator McCARTHY. Again we find the thing that the chairman has just condemned, an attempt to find out what photostats if any I may have.

Now, Senator, let me say this: If you want to perform a service, rather than to try to make this public information as to what if any

photostats I have, so that if this rumor is true, the rumor we hear about rifling the files—if instead of doing that, you will try to get the secret files—after you have gotten the files, I will give you all the aid in the world to help determine whether or not you have the complete file.

You understand that?

Senator GREEN. That does not answer the question, and you know it does not answer the question. The question wasn't that.

The question was, I am not asking you to produce the photostatic copy, I am simply asking you how you come to that conclusion in your mind, that you said you knew it was in the secret files, in the State Department.

Senator McCARTHY. I came to that conclusion by all the information that was available to me.

Senator GREEN. Well then, you have that information in your files, I suppose. Is that a correct conclusion?

Senator McCARTHY. I have what information in my files?

Senator GREEN. That they had the name in the secret file of the State Department.

Senator McCARTHY. I have given you all the pertinent information I have, or all I know about the case in the Congressional Record, if you will read that. It is a rather important case, I think. You will find out the information in the files, you won't find it in my files. You will find it in the State Department files.

Senator TYDINGS. Gentlemen, it is perfectly apparent to me, unless the members of the committee wish to pursue this further, that the witness does not want to disclose the information about which all the interrogations are directed.

The question is: Shall we pursue this course further by asking the questions again and again and again, or, shall we go on and let him testify? What is the committee's pleasure?

Senator HICKENLOOPER. Mr. Chairman, I suggest the committee go on with the business for which the committee was set up, and listen to the various allegations that the Senator has to make; and then, to do what it is my belief the committee should do—go after the original sources of the information, instead of following this obvious attempt to require the witness to disclose all his investigative procedures and ramified sources from which he may have gotten the information.

His information is either true or it is not true. It can either be proved or disproved by the files, and I was of the opinion that this subcommittee was after the facts, and not after any procedure which might become a harassment of the witness, to the avoidance of the real purpose of this investigation.

Senator TYDINGS. What is your thought, Senator Green?

Senator GREEN. Well, I think it is futile to continue to ask the same questions when the witness insists on evading them and makes a speech, instead of answering the questions. I don't know what the chairman would suggest.

Senator TYDINGS. What do you suggest, Senator McMahon?

Senator McMAHON. I won't put it in the record.

Senator TYDINGS. Senator McCarthy, go ahead with your testimony; but, the chairman, on behalf of the committee, would caution you not to lose any of these files, because we may want to, in case No. 14, to have you verify or have verified, one or the other, the dif-

ference in these files, between your photostats and the original copies if any, inasmuch as charges of tampering have been brought by you, before the Senate in this case, and in order that we may see that there has been no tampering, we may want to see if your photostats accord with what we find in the files in question.

Go ahead with your testimony. Please bear that in mind however—to keep those files safe and untouched, as far as papers are concerned, until we get a chance to come back to this.

Senator HICKENLOOPER. Just to clear that point up, Mr. Chairman: I would like to ask the witness, because it is not my recollection that the witness has specifically and formally charged that the files of the State Department have in fact been tampered with, if he has, I want to be clear in my own mind. I don't know what the situation is.

Senator TYDINGOS. Let us leave that—

Senator McCARTHY. Let us make it clear, it is all a part of the record.

The only reference I have made to the files, this does not refer to tampering with the files, but it referred to information in the files in regard to attempts to get certain witnesses in this morals case to alter their affidavits. That was not a case of tampering with the files, but an attempt by one of the men in the State Department to get witnesses to alter their affidavits. That information is all in the files.

As to any tampering with the files, that is, as the Chairman knows as I know—once you start talking about getting files, whether it is rumor, or true or not, the natural rumor is that the files are being rifled and we have all heard those rumors.

The Chairman need not caution me to save anything that will be of assistance to this committee in determining whether or not there in any rifling of the files.

Senator TYDINGOS. You can well see that this committee is on the spot. You can well see that if we look into this file and unanimously say that the charges are true, that is one thing. If we say, after looking in this file, unanimously, that the charges are not sustained, that is another thing. The inference would immediately be drawn, however, from the testimony you have made on the Senate floor, that the files that we investigated did not contain all the papers that you allegedly say we will find in this file.

Now, in order to make this investigation airtight, it ought to be cleared up as to whether the file in this particular case is an accurate, exact, and complete file in every particular; and whether these attempts to fix it have succeeded or have not succeeded. If we do not cover that point and would find these charges unsustained, the inference could be drawn, very properly, that the file was not the same file of which you may have a photostat.

So, that is the reason I am asking you, in this and all other files, to make sure that any photostates and other memorandum which you have, that might be in these files, are not in any way allowed to fall into places where they would not be cared for, or changed in any way whatsoever.

Senator McCARTHY. I sincerely hope that when the files are finally made available, the committee will have a competent staff looking over the files and be able to tell the committee and the public whether the files are complete or not.

Senator TYDINGS. Your hopes will be fully gratified.

Senator McCARTHY. That can be done, Mr. Chairman.

Senator TYDINGS. Your hopes will be fully gratified, and I hope we get all the files and all the evidence when we go over it and make a complete report without leaving anything out that comes within the ken of this investigation.

Senator McCARTHY. Yesterday, Mr. Chairman, I referred to an individual by the name of Kenyon, who, according to the Federal Register of 1960, was employed in the State Department, and commenced producing the documentary proof of her connection with 28 organizations that had been listed either as Communist-front or subversive. Last night the State Department announced that this individual was no longer with the Department, having severed her connections on January 1 of this year, or December 31.

Even though this individual may no longer be with the Department, the case, in my opinion, is still extremely important in that it will shed considerable light on the workings of our loyalty program.

In the past when the loyalty of any Government employee has been questioned, the case has been shrugged off with the statement, "Oh, he has been cleared by the Loyalty Board." I assume that during these hearings, the same will be repeated often. In fact, the Secretary of State's office attempted to clear one of the cases I mentioned a short time ago with that identical statement—"He has been cleared by the Loyalty Board." Therefore, it is extremely important to know just what "being cleared by the State Department's Loyalty Board" means.

Senator TYDINGS. Senator, if I may interrupt, when you are referring to the "Loyalty Board," is that the Loyalty Board of the State Department, or which one are you referring to? There are five or six of these agencies.

Senator McCARTHY. That is a good point. I think it should be agreed, and should be clear that each agency has its own Loyalty Board.

Senator GREEN. Which one is that?

Senator McCARTHY. I am referring to the State Department's Loyalty Board, obviously, because Kenyon's case was considered by the State Department Loyalty Board. She was cleared by that State Department Loyalty Board.

Senator TYDINGS. Go ahead.

Senator McCARTHY. Let me make this clear, also: That there is an Appeals Board, a Civil Service Commission Appeals Board. I think it should be clear, at least as far as I can determine, that the Civil Service Appeals Board, or Civil Service Loyalty Board gets no jurisdiction over a case in which the agency board has cleared the individual. If, however, the individual has been discharged because of disloyalty, or being a bad security risk, he can appeal to the Civil Service Commission Appeals Board—

Senator TYDINGS. May I interrupt again?

Senator McCARTHY. Yes.

Senator TYDINGS. The committee will get a list of each one of these investigative agencies, and each one of these Boards, and each one of these agencies that have to do with the clearing of an individual.

Senator McCARTHY. I might say I have that complete list here, Mr. Chairman. Whenever you want to introduce it in the record, I will be glad to do it.

Senator TYDINGS. Let's have it now, if you have it handy; and, we will have it put in the record at this point; but, I simply wanted to ask the Senator, in the future—when he refers to any particular Board, it would be of help to the committee in its investigations if he could identify the Board he has in mind, so that we would not have to hunt around and find out which one it is.

Senator McCARTHY. I am glad to know the chairman and I agree on something.

Senator TYDINGS. We agree on a lot of things, but not on our questions and answers this morning.

Senator McCARTHY. I think it is an excellent idea to keep these different Boards well identified, because some of them have been doing a rather good job.

Let me make this clear, if I may: The Civil Service Commission Loyalty Board, even though it has no jurisdiction over a case that has been approved by the State Department Loyalty Board, can pick up that case and conduct what is known, I believe, as a post audit on that. In their post audit, however, they have no right to take action and say that that man is disloyal, and they can be overruled by the Secretary of State. You will find, and I will give you cases as we go along, a number of cases in which the State Department Loyalty Board has given an individual a completely clean bill of health. The Civil Service Commission Loyalty Board picked that case up in a post audit—

Senator TYDINGS. If you will allow me to interrupt you?

Senator McCARTHY. Yes.

Senator TYDINGS. What we will have to do, Senator McCarthy, in order to make this investigation complete, is, if it is a subject of investigation, to immediately set up cross references, and follow case A, the name of case A through all the other Boards to see what is in the file, pro and con, all the way through, by a series not only of direct examinations of the record in question, but by cross checks on the other records, and that is what you want, and that is what we will do.

Senator McCARTHY. I might say, sir, we will have the question of the jurisdiction of the various boards clear if you take, for example, case No. 1, which I referred to on the Senate floor. In that case, the State Department's Loyalty Board gave this individual a clean bill of health. The Civil Service Commission picked that up on their own—you understand it was not appealed, but picked it up on their own—and audited that and sent it back indicating their dissatisfaction with the Loyalty Board's findings. However, the State Department's Loyalty Board can, if they care to, close out the case, unless the Secretary then says, "I will depend upon the Civil Service Commission's Loyalty Board and discharge this man."

As far as I know, he has not done that in any case.

Senator TYDINGS. Well, we will examine the whole record; we will check, double-check, up and down and diagonally check to make sure everything is checked all the way through.

Senator McCARTHY. I want to commend the committee's attention especially to those cases that have been picked up by the Appeals Board

and checked and sent back, because they felt that the Loyalty Board did not do its job.

Therefore, it is extremely important to know just what being "cleared by the State Department Loyalty Board" means.

We have here documents to indicate that this individual belonged to at least 28 different Communist-front organizations. I understand that the FBI gave the State Department a detailed report on this individual showing that she belonged not merely to 28 but to considerably over 28 Communist-front organizations.

I urge that the committee immediately subpoena the records. What is of utmost importance in this case is to determine why the Loyalty Board passed this individual with that type of report from the FBI in its files.

Senator TYDINGS. The FBI—

Senator McCARTHY. I stated, I think, to get the complete record you must subpoena the State Department records, the Civil Service Commission records, the FBI records—

Senator TYDINGS. I did not understand whether you said the record or records.

Senator McCARTHY. Records.

Senator TYDINGS. You mean plural?

Senator McCARTHY. Plural.

Senator TYDINGS. Go ahead.

Senator McCARTHY. I might say, in my opinion, there is not even any remote possibility of any FBI record being tampered with. So, when you get the FBI record—

Senator TYDINGS. We are satisfied that is so.

Senator McCARTHY. That is why I insist, in all these cases, in order to have the complete record, we get all four records.

I urge the committee immediately to subpoena these records which are of the utmost importance in this case to determine why the Loyalty Board passed this individual with that type of report from the FBI in its files.

This is doubly important in view of Secretary Acheson's statement the other day. He says:

Participation in one or more of the parties or movements referred to above, or in organizations which are fronts for, or are controlled by, any such party or movement, either by membership therein, taking part in its executive direction or control, contribution of funds thereto, attendance at meetings, employment thereby, registration to vote as a member of such a party, or signature of petition to elect a member of such a party to political office or to accomplish any other purpose supported by such a party; or by written evidences or oral expressions by speeches or otherwise, or political, economic, or social views.

Now, in answer to Senator Bridges' question, "Would you say that a person who is known to associate with members of Communist-front organizations would be a security risk?" That isn't merely referring to the members of the front, but is referring to people who associate closely with them, and Secretary Acheson made the following reply:

That is one of the matters that must be taken into consideration under the regulations which I have just read to you.

In this connection, I think the committee will find, when they subpoena these records, that the Department Loyalty Board—I do not like to use the words "Loyalty Board" in this case—but the State Department Loyalty Board, even though they had the complete file-

on the Communist-front organizations of this individual, did not call her down to ask her a single question, or any explanation of this long list of subversive activities.

I commend to the attention of the Appropriations Committee this and other cases which I shall present showing just exactly the type of individuals this Board calls loyal.

The next case which I shall present to the committee is infinitely worse than this one, but the Loyalty Board still placed its stamp of approval on him.

Senator GREEN. May I interrupt?

Senator TYDINGS. Senator McCarthy, have you completed now what you want to tell us about case No. 17? Am I correct in that?

Senator McCARTHY. I have about 21 documents which have not been--

Senator TYDINGS. That is what I was going to ask you about.

Is it your intention to put these other documents in the record now, so as to have them in connection with case No. 17?

Senator McCARTHY. I think that is very important.

Senator TYDINGS. Put them in now, if you will.

Senator McCARTHY. I will, if the Chair has no objection.

Senator TYDINGS. I have no objection. I think the documents supporting each case, if placed in the record while that case is before us, would help us to further consider it, rather than having them put in at a later date.

Senator McCARTHY. I agree fully.

Senator TYDINGS. Have you the documents now?

Senator McCARTHY. May I finish my reading here?

Senator TYDINGS. I thought you were on case No. 2 now.

Senator McCARTHY. No; talking about the Loyalty Board. The Senator interrupted, and wanted to ask a question.

Senator GREEN. If I may ask a question here—you referred to the Loyalty Board of the State Department, made several references to it.

Senator McCARTHY. That is correct.

Senator GREEN. About its actions and the way it acted. Do you know who the head of the Board is??

Senator McCARTHY. There is a panel of about nine, Senator. They are pulled in, two or three at a time, so you never who the head of any particular Loyalty Board is.

The head of the Board as a whole is a Mr. Snow, but—

Senator TYDINGS. Give us his full name.

Senator McCARTHY. I cannot give you his full name.

Senator GREEN. Gen. Conrad Snow.

Senator McCARTHY. That is right; but, you understand, he may or may not be on 10 consecutive panels. You see, if a particular case is being considered, Snow may be on this; he may not be. You have, I think, nine individuals. I think you raise a good point. I think it is very important. Take, for example, in this case and the next case I cite, that we find what specific individuals were on that panel or were sitting as the Loyalty Board. Undoubtedly, there are some fine individuals in that panel of nine, but there is something radically wrong with the individuals who will take a case where there are 28—or more than that, according to the FBI file, in that case—28 Communist-front connections and passed like that, without even calling upon the individual for an explanation.

I doubt very much that Mr. Snow was on that. I do not know.

I might say that I do not know him personally; I know very little about him. I am doing this, however—at the appropriate time I will give the committee some very interesting information about some of the members of the Loyalty Board.

Senator GREEN. I may help you explain that temporary lack in your information.

General Snow's father was formerly president of the New Hampshire State Senate, and New Hampshire State Supreme Court, and he is now the head and therefore the responsible head of the Loyalty Board.

You referred to the Appropriations Committee, and to Senator Bridges. I happened to be on it and was there when Senator Bridges was being asked about General Snow, and you have not given what he said about him. I thought you might like to know it.

My colleague, Senator McMahon, asked Senator Bridges what Conrad Snow's reputation was, and Senator Bridges replied "Excellent."

I will not go any further, because if I do you will accuse me of bringing politics into that, but—

Senator McCARTHY. I would not accuse you of that.

Senator GREEN. I asked him about that, and he seems to be of the same politics as Senator Bridges.

Senator McCARTHY. I would not accuse you of playing politics.

Senator HICKENLOOPER. That would contribute to the proof that he was a man of excellent ability.

Senator GREEN. I came to the defense of the Loyalty Board and, I will not say accusation, but information that everything was not right.

Senator TYDINGS. I do not think Senator McCarthy said that the loyalty board was unpatriotic or disloyal or Communist-ridden. He has not made any charge like that so far.

Senator McCARTHY. Let me say this, Mr. Chairman: That, if the very able Senator sat on a case such as this, or especially the next case, and gave this man a clean bill of health, I would say that he was incompetent from then on to sit on a Loyalty Board. I can only judge by the results that come from the Board. As I say, I do not know whether your Mr. Snow sat on the board in this case or not.

Senator GREEN. Again, my point is—

Senator McCARTHY. Let me say this, if Mr. Snow—

Senator TYDINGS. General Snow.

Senator McCARTHY (continuing). Was one of the men who gave a clean bill of health to the next case, then I would say that Snow, or anyone else on that Board is incompetent to sit further.

Senator GREEN. Let me comment that he is not "my" Mr. Snow; and, furthermore, I do not think he has done anything yet to be reduced in rank from "General" to "Mr."

Senator McCARTHY. Thank you, Senator.

Mr. Chairman, I have here information which I think the committee may want.

We have first, if I may label it "Exhibit No. 1"—

Senator TYDINGS. What did you put in yesterday? You had better go on from there.

Senator McCARTHY. Well now, how many did we have in yesterday; do you remember?

Senator TYDINGS. Start from the back of the alphabet.

Senator McCARTHY. Let me hand those to the chairman, and mark it as you like.

The first exhibit is a list of all the Department loyalty boards. The second is a memorandum which I will give the Chair, and which is a list of all the regional boards.

Senator TYDINGS. Will the Senator desist just a moment until we get a chance to look at these?

Senator GREEN. I think it ought to be put in testimony.

Senator TYDINGS. You mean, it ought to be read?

Senator GREEN. Yes.

Senator TYDINGS. What is your wish on this? To put it all in testimony with or without reading?

Senator McCARTHY. That was gotten from the Civil Service Commission. You might want to know the source before you decide that; it was gotten from the Civil Service Commission. I called the Civil Service Commission. I believe it is a Mr. Malloy or something like that, and he sent it over. So, I cannot vouch for its accuracy, but assume the Commission can.

Senator GREEN. I think we should have somebody who can vouch for its accuracy.

Senator TYDINGS. The question before us now is: The Senator from Wisconsin has offered this; does the committee want it read?

Senator McMAHON. What is it?

Senator TYDINGS. It is a list of the different, I suppose, investigating—

Senator McCARTHY. Let me withdraw it, if you are going to read that long document.

Senator GREEN. Tell us how many there are.

Senator McCARTHY. I would say there are about 50 pages there.

Senator GREEN. I mean, how many loyalty boards are there through which individuals are screened—how many?

Senator McCARTHY. Senator, every agency has one. I can go over this and count them.

Senator GREEN. The State Department—

Senator McCARTHY. One loyalty board is in the State Department.

Senator GREEN. There are screenings below, lower than the Loyalty Boards; are there not?

Senator McCARTHY. There is one loyalty board in the State Department.

Senator GREEN. Yes, but are there not screenings below that level?

Senator McCARTHY. By "screenings," I am not sure if I know what you mean.

Senator HICKENLOOPER. What they have been burning the last 3 months—

Senator GREEN. Examinations of the record and character of individuals, whether they are good security risks.

Senator McCARTHY. I believe a man's superior would have the right to examine his record.

Senator GREEN. The FBI has one, and the Civil Service Commission has one.

Senator McCARTHY. Let's get clear on the FBI.

Senator GREEN. That shows how justified my question is.

Senator McCARTHY. Let's get clear on the FBI. The FBI does no screening. The FBI has taken the sixteen thousand-odd names, and they run them through what is known as a name check; and if a man has been previously investigated, if there is something in the record on him, then his name comes out; and then, if the State Department wants an investigation of that man, they get it.

The FBI then sends the information over the State Department. The FBI makes no recommendations. They do not say, "Discharge this man," or "Do not discharge him."

They give all the information, and that is the last power they have over this individual. So, these people will say that the FBI is responsible and that is entirely wrong.

You see, take in the Kenyon case, the FBI conducted an excellent examination. Apparently the Loyalty Board just disregarded it. I think we should make it clear that the FBI is in no way responsible for security risks in the State Department.

Senator TYNDERS. Senator McCarthy, one of the papers I hold in my hand is "United States Civil Service Commission, Washington, D. C." and it is signed by Seth W. Richardson, Chairman of the Loyalty Review Board. My question is: Is it your information that all the employees of the State Department, in one way or another, have to go by this loyalty board?

Senator McCARTHY. No; that is incorrect.

Senator TYNDERS. They do not?

Senator McCARTHY. No; they do not.

Senator TYNDERS. Which ones do?

Senator McCARTHY. They go by this Board. Shall I read their names here?

Senator TYNDERS. Does this Board at any place pass on any of the qualifications of the people who work in the State Department?

Senator McCARTHY. When you say "this Board," that is a list of regional boards, plus—

Senator TYNDERS. You did not get—

Senator McCARTHY. I am sure I know what you mean.

Plus the Civil Service Commission's Loyalty Board, headed by Seth W. Richardson.

Senator TYNDERS. I am asking you whether the head board of the United States Civil Service Commission, headed by Seth W. Richardson, Chairman, Loyalty Review Board, former Assistant Attorney General of the United States, under President Hoover I think it was, is the head board and do the employees of the State Department—does their fitness come under this Board in whole or in part for review?

Senator McCARTHY. I will answer that: No. 1 here is the Appeals Board; No. 2, the only time a case comes officially before that Board, speaking of the State Department, is when the State Department's Board says this man is unfit, and they discharge him. Then he can appeal to the Richardson Board. That Board then has the right to either affirm or overrule the State Department's Loyalty Board.

If, on the other hand, the State Department's Loyalty Board gives a man a clean bill of health, then it never officially gets to the Richardson Loyalty Board. However, that Board does, on occasion, pick up a man's name in what is known as a postaudit, and takes a look-see

and if they are dissatisfied, to the best of my information, if they are dissatisfied, then the extent of their authority, as I understand it, is to send the name back to the State Department Loyalty Board, indicating that they feel the State Department Loyalty Board made a mistake and that they let by a bad security risk.

There are a number of those cases, you understand. Then, the State Department Board, if they want to close the file on that individual—

Senator TYDINGS. Do you know whether or not the case that you have just finished reading, and the cases that you read about on the floor of the Senate, have been passed on, in whole or in part, by the Loyalty Board of which Mr. Seth W. Richardson, former Assistant Attorney General, was the Chairman?

Senator McCARTHY. I have just gotten through telling you, Senator, that until a man has gotten an adverse ruling from the State Department Loyalty Board, it never gets to Mr. Richardson's Board officially. Mr. Richardson's Board has no jurisdiction. They do not pass through that Board.

I will, however, give you the names of some individuals who were picked up, I do not know, by the Richardson Review Board which took a look at them and sent the names back and said, "You made a mistake in this man's case."

One of those cases is my case No. 1. The State Department's Loyalty Board merely closed its file, however, and he is still there, even though the Richardson Board said this man should not be in the State Department.

Senator TYDINGS. I again ask the question: Do you or do you not know whether the cases that you read on the floor of the United States Senate, or any of the cases you are about to bring before us, other than the one you have just finished, have been passed on, in whole or in part, by the Loyalty Board headed by Mr. Seth W. Richardson, former Assistant Attorney General of the United States?

Senator McCARTHY. Senator, I am trying to tell you that only in those cases in which the State Department's Loyalty Board has failed to give clearance, do they go to the Richardson Board; and, I think in almost each of the cases the State Department's Loyalty Board has given clearance, the first No. 1, the case of Judge Kenyon—the State Department Loyalty Board I understand gave her a completely clear bill of health so that naturally she would not appeal to the Richardson Board.

Do you follow me on that?

Senator TYDINGS. Yes. Leave her out. Take up the others.

Senator McCARTHY. The same is true of these cases as I will go through them, my cases, so that unless the State Department Loyalty Board said they are out, they do not come before Seth Richardson. I do not think, that is, as far as I know, I do not know of any case in which Richardson's Board reversed a decision of the Loyalty Board in which they said John Jones is disloyal and should go out.

That is the only time they have authority.

Senator TYDINGS. I understand when they have authority and when they do not have authority.

Senator McCARTHY. So that then the only cases that will get before, or go before the Richardson Board, will be those cases that the State

Department says are disloyal, as far as I know, according to what's-his-name's testimony, Mr. Peurifoy the other day, who said they only discharged one man since 1947, and under the loyalty program, he said 200 resigned, so that there would be occasion for only one review, if we take his testimony.

Senator TYDINGS. I will ask you once more to try to make it plainer: Do you, yourself, know of your own information—

Senator McCARTHY. I do not think any of these cases were appealed to Richardson's Loyalty Board. I do not think any cases that I gave on the Senate floor were, because if they had been, they would not have been in the State Department.

Senator TYDINGS. Were they passed on, as far as you know, whether they were appealed, or not appealed, by the Board headed by Seth W. Richardson?

Senator McCARTHY. Senator, I—

Senator TYDINGS. I say, in event they were not appealed.

Senator McCARTHY. I told you, as far as I know, the Richardson Board has no jurisdiction over a case that has not been declared disloyal by the Loyalty Board.

Senator TYDINGS. Did not you say, in addition to the cases not appealed, that they occasionally picked up a case and examined that?

Senator McCARTHY. That is right.

Senator TYDINGS. Then, I am asking you, in addition to the appeals, whether or not any of these cases were passed on, so far as you know, by the Richardson Loyalty Appeals Board.

Senator McCARTHY. I have give you cases, I cannot give you the numbers now, I will give you cases in which the Appeals Board in a postaudit, suggested that the Loyalty Board— job.

I just got through telling you the only one I could give you definitely was case No. 1. As we go through, I will give you cases—

Senator TYDINGS. You are not certain at this moment that any of the cases—

Senator McCARTHY. Yes; I am. I told you I know some were post-audited and sent back with unfavorable comments. I tell you I know that. I tell you that the only case I can give you definitely now, is case No. 1; but as I go through the cases, where I know, I will give you the information. I do not have all that information, Senator.

Senator TYDINGS. I would like to ask you then, at your earliest convenience, if you will give to this committee—

Senator McCARTHY. You know I will, Senator. You know I am—

Senator TYDINGS. Just a moment. If you will give to this committee the names of any witnesses against whom information, or charges of disloyalty have been brought by you, either on the Senate floor or before this committee—in what number, or part of the cases you have recited has the Richardson Loyalty Board made an adverse or a favorable or any other kind of a recommendation or finding? Will you do that when you have an opportunity?

Senator McCARTHY. First, let's you and I understand each other. I do not claim to know—I do not claim to have any access to the files and know specifically what—

Senator TYDINGS. Senator Green would like to ask you a question.

Senator McCARTHY. Wait until I finish my answer to this question, please.

Senator TYDINGS. All right, go ahead.

Did you want to ask a question?

Senator McCARTHY. Let me answer the chairman's question.

Senator GREEN. Certainly, I thought you had finished.

Senator McCARTHY. Let me make this clear, Mr. Chairman: I would give you the information on any of those that I have. I do not have access, do not have information as to the action taken on a great number of these cases. Some cases, I definitely know that on a postaudit there was an adverse recommendation, I cannot call it report, but adverse information, and they were turned back to the State Department and obviously, as I get to the cases, I will give them to you.

Senator TYDINGS. Do the best you can.

Senator Green, what is your question?

Senator GREEN. My question is, to get on the record the method of screening these individuals in the State Department. Several references have been made to that, and in the first place I do not know whether you call it screening, or what your definition is, but the FBI makes an examination and a record of the man, and what all they can find about him—

Senator McCARTHY. Not in all cases, Senator.

Senator GREEN. This is the ordinary process.

Senator McCARTHY. That is not the ordinary process.

Senator GREEN. Then, let us get it straight what it is.

Senator McCARTHY. The vast number of cases are never touched by the FBI.

Senator GREEN. Where they are, the FBI is first, when they are.

Senator McCARTHY. Let me give you the picture.

The State Department, as I understand, has its own investigator.

Senator GREEN. Then, after that, there is the head of the State Department Investigation Branch, that comes after the FBI, in a case where the FBI does any investigating.

Senator McCARTHY. Is that a question or a statement?

Senator GREEN. I am asking you whether you agree.

Senator McCARTHY. I do not know the sequence of the investigations. Let me make it clear—

Senator GREEN. Then, in that case—

Senator McCARTHY. The 16,000 names were sent over to the FBI, I understand, when the President's so-called loyalty program was commenced. Those names were run through what is known as a name check. Whether that is done by card index or how, I do not know. If there had been a previous investigation of any of those 16,000, then his name would be pulled out, and in those cases, there was an investigation by the FBI, at least some of them.

If this name check disclosed no previous bad record, then as far as I know the FBI would make no investigation unless the State Department sent word over that they wanted a particular individual investigated.

So that this is clear, no matter how bad a man's record was, unless there had been a previous investigation or information in the file of the FBI, the FBI on its own would not commence an investigation. Is that clear?

Senator GREEN. We agree entirely on that, and after this preliminary investigation by the FBI, then the first investigation by the State Department itself is by their Investigation Branch, of which Mr. Fletcher, formerly special agent of the Department of Justice, is the head. Is that right?

Senator McCARTHY. You are asking for the sequence of investigations?

Senator GREEN. Yes.

Senator McCARTHY. I cannot give it to you, Senator.

Let me say, the reason I have not gone into that, I have been perfectly satisfied that the investigative work was well done. That is not where the difficulty started. It was the use made of the information.

Senator GREEN. I think this is correct, and if I am incorrect in my statement, I wish you would correct me—

Senator McCARTHY. I am not sure I can correct you.

Senator GREEN. If you do know that I am wrong—

Senator McCARTHY. I will be glad to correct you, if I do.

Senator GREEN. Then, after the FBI, then comes the investigation by the Investigating Branch of the State Department, and Mr. Fletcher, I think, has charge of it, and he was formerly special assistant of the Department of Justice; then, after that it goes up to the Division of Security and that is under Donald L. Nicholson, formerly an FBI man, and then, after that it goes to the State Department's office, the Evaluation Personnel; and after that, it goes to the Department's Loyalty and Security Board—that is what you have made reference to—and after that, it may, in certain cases, go to the Loyalty Review Board under Mr. Richardson, and the loyalty of the—

Senator McCARTHY. May I interrupt you there, Senator?

Again, I think I should make it clear, it only goes to the Loyalty Review Board if the State Department Board adversely finds.

Senator GREEN. That is what I said, in certain cases; but in other cases, in addition to the FBI, there are five different departments that it goes through—in this screening!

Senator McCARTHY. As I said, the investigative process is excellent. I think they develop plenty of information. That is why the files are so good. It is not the investigative agency that is to be criticized. It is what is done with the information after it is received.

As I stated on the first case I have given you, yesterday and today, in that case they have turned up more information than I have, considerably more. They have the names of more subversive activities in the files than I have.

Senator GREEN. I am glad to get your O. K. of the Department's Investigating Department in all its grades. That is what I wanted to get on the record.

Senator McMAHON. May I ask a question, Senator?

Senator TYDINGS. You may, Senator McMahon.

Senator McMAHON. Senator, have you the names of the members of the Loyalty Committee that passed on this, what is her name, the Kenyon case?

Senator McCARTHY. No; I do not, Senator. I do not know which of them—I think it is a panel, I believe it is a panel of nine.

Senator TYDINGS. Is this it [exhibiting document]?

Senator McCARTHY. No; I believe it is the other one.

Senator TYDINGS. You took one of them back with you.

Senator McCARTHY. Yes; here it is. Here is the panel, Senator, and I can give you the entire panel, if you like.

Senator McMAHON. I would like to have each—

Senator McCARTHY. Conrad E. Snow, assistant legal adviser; the members are named Bertram Barnes, career minister; Dariel St. Chair, legislative assistant; David A. Robertson, special assistant, Office of Near Eastern Affairs; Theodore Achilles—I am reading what I read after the names, indicating what the individual is doing in the State Department—Theodore Achilles, Chief of the Division of Western European Affairs; Arthur G. Stevens, special assistant to the Assistant Secretary of Economic Affairs; William F. Baker, Chief of the Division of Central America and Panama Affairs; John D. Bell, Associate Divisional Chief for European Affairs; John W. Sykes, Legislative Service Division, Congressional Legislation; and the contact is listed as Mr. Snow, room 4013, Department of State, extension 8873.

Senator McMAHON. It was three of these gentlemen, presumably, Senator, that sat on the Kenyon case?

Senator McCARTHY. Undoubtedly, I would say.

Senator McMAHON. All of these cases that you have brought to the attention of the Senate, some 81 of them were heard, as far as you know, by a committee of three chosen from this panel of nine?

Senator McCARTHY. I think that can be safely assumed.

Senator McMAHON. I believe you made mention of the fact that you would give us some further information on the members of this panel?

Senator McCARTHY. I said I would give you further information upon the members of the loyalty program.

Senator McMAHON. Meaning these nine gentlemen?

Senator McCARTHY. I do not know what information I will give on this particular nine.

Senator McMAHON. These, however, are the nine that do hear, in the State Department—

Senator McCARTHY. That is right.

Senator McMAHON. And it is your contention, Senator, as I understand it, that they have not done their duty in assessing these investigating reports?

Senator McCARTHY. I think when they pass a woman like case No. 1, and give her a clear bill of health without calling her down to ask her about any of these agencies, obviously they have not done their duty—obviously no.

When you find a case like case No. 2, a phenomenal case, and find a member of this panel passed this man and said he can have top-secret clearance, then there is something radically wrong with either their judgment or the individual.

Senator McMAHON. Can you tell us—can you identify the hearing panel in the other cases that you are going to take up?

Senator McCARTHY. The answer is "No"; I cannot.

Senator McMAHON. That is what I wanted to know.

Senator McCARTHY. Only except by rumor. When I get curious about some of these phenomenal cases, I try to find out; and, by hearsay, you hear that John Jones or Pete Smith, head of that particular Board—but, I cannot give you any definite information.

Senator McMAHON. Have you had occasion to investigate any of these gentlemen on this hearing board?

Senator McCARTHY. I am compiling information now which I will present to the committee on the membership of the various loyalty boards. I frankly do not know—I do not know what information, if any, I have on these. The information on these that I have before me now merely consists in their activities on these various cases, and as I say, I do not care whether it is the Governor of your State, or the President of the United States who is on this Board, if you find that he passes and gives a clean bill of health to some of these cases that I give you, then you will know that there is something wrong with his handling of the case.

Let me make this clear. I am not saying that any of these individuals on that panel are disloyal or anything like that. I just know there is something radically wrong with the results that come from the State Department Loyalty Board, and I am judging this solely by the results.

Senator McMAHON. You are not charging them with being disloyal, but being incompetent and stupid. I think that is a fair statement—

Senator McCARTHY. I would say the Loyalty Board that passed No. 1 and No. 2—it is putting it very generously when you say they are merely incompetent and stupid.

Senator McMAHON. You say they are not disloyal, so I took the alternative that they were dumb.

Now, Mr. Chairman, it strikes me that this would indicate a rather quick review by the committee of these gentlemen who have been named, and who the Senator says, and in whose opinion have passed on these cases—obviously, who they are and what their background is, is quite material to this investigation.

I happen to know two of them rather well, and the rest I do not know, and I would like to get their background, because the American people should realize as quickly as possible, not only what the procedure is that has been adopted, but the kind of men who have been put in by the Secretary of State to operate that procedure.

This man Conrad E. Snow, I would certainly take Senator Bridges' testimony on his behalf, which he gave to me in the Appropriations Committee meeting the other day, as a very outstanding citizen.

Mr. Achilles, Theodore C. Achilles, is a gentleman I know quite well, he is my next-door neighbor. He is on this panel of nine. I think it would be very helpful if we could get this as quickly as possible.

Senator TYDINGS. Senator McMahon, have you any suggestion as to how this data should be assembled? Is it your idea that we should get a biography of each one of the men, and read it into the record? Is it your idea that we should bring them before us? Is it your idea that we should proceed in some other fashion?

I agree with what you said, because the witness here, as I understand it, has said that the investigative set-ups, on the whole, are pretty good.

Senator McCARTHY. That is my opinion.

Senator TYDINGS. In his opinion, he called them pretty good, he paid them a pretty good compliment, as I recall; he said that the trouble was at the top, where the final decision was reached, and that obviously would be this Board in this particular Department. So, therefore, I think it is very pertinent that if these men had been the means of letting people hold jobs in the State Department, who are allegedly

disloyal, the public ought to know the caliber of these men, as you suggest.

What is your thought about it?

Senator McMAHON. My thought was that I would have them up here en masse, and line them up here, one by one, and I would take a look at them and I would examine them, each one, as to how long he had served in the Department, whether his educational background and competency was sufficient to sit as a judge on these matters.

I think it would be very helpful, Mr. Chairman. I hope we do it just as quickly as we can.

Senator TYDINGS. Senator McCarthy, would that be satisfactory to you, if we were to do that?

Senator McCARTHY. That method, Mr. Chairman, would be completely ridiculous. You can bring the men up and look at them and find out how long they have served, and have witnesses come in who would testify that they had been kind to their wives and families, that they are well respected.

But, that is not the point. The only way you can determine whether or not that Board is competent to sit, whether or not we are wasting the money we are paying on the loyalty program, is to take the file, let us say in case No. 1 first, bring the file in, and in that file you will find a vast number of subversive organizations to which this individual has belonged. Then, you should say, "Gentlemen, who sat on that Board? Who was the Chairman of that Board?" And the next thing you will want to ask them is, "Why did not you call this individual in and have her explain these connections?"

You will say to them—and let me finish, if I may—you will say to them, "Here is what Dean Acheson himself said, he said that anyone connected with these organizations, even remotely, may be a bad security risk."

You say to them, "Here are more than 28, on which you have an FBI report. What made you think you could pass upon that case and give a clean bill of health without even bringing the individual in, without writing a letter on the matter? How do you explain this?"

There is the documentation.

Then, you go to case No. 2, and say, "Here is a phenomenal individual. Who passed on that case? Who said this man, who is one of the top"—

Wait until we get to the case, strike that part of it.

I have the cases, which I think you should take, one by one, and bring in the Board who sat on each particular case, don't find out whether the men are kind to their wives and families, whether the neighbors think they are fine people, but examine them to see whether or not they are competent for this particular job, because, you see, all through this Government we have a vast number of individuals who are great golf companions, great individuals, but who are doing a very, very bad job.

This idea of bringing them up here and lining them up, and bringing in their neighbors to testify that they are fine fellows and are not disloyal is a waste of time, and is ridiculous.

Senator McMAHON. I move that the committee who passed on this matter, these nine gentlemen, be brought before this committee to

tell us what their procedures have been. We will talk with them later on any cases that might come into question by reason of the Senator's testimony, but I formally move that these nine members be brought here for testimony bearing upon the procedure that they have adopted.

This is a timely point in the proceedings for that to be done.

Senator TYDINGS. Any comment, Senator Green?

Senator GREEN. No comment.

Senator TYDINGS. Any comment, Senator Hickenlooper?

Senator HICKENLOOPER. I move to amend the motion by making a requirement that we get the files, all of them, in case No. 1, so that we will be able to interrogate these men who sat on the panel, in the light of the decision on file No. 1, and the information contained in file No. 1; and in that way really be able to explore their processes of clearance or nonclearance of individuals.

Senator McCARTHY. Not as a witness, but as a Senator, might I ask the committee if they will consider allowing me to sit in at that time? I think I can be helpful to the committee, I can find out who was chairman of the various boards, find out why the results that have come from the Board have been so unusual. I would like to find out, for example, when Richardson's Board considered a post audit and said that it was bad for this, that, and the other reason, and sent it back to them, what they have done, further, and what action they have taken.

That is the only way you can determine whether or not that is a competent board. Otherwise, this will just be window dressing.

Senator HICKENLOOPER. May I—

Senator McCARTHY. I do not mean to say, and I hope I am not understood as saying that I would be the only one to delve into that and determine those facts, but I would like to sit with you.

Senator HICKENLOOPER. Mr. Chairman, in order to amplify my statement, the procedures have been well outlined, the Secretary of State outlined the procedures and laid out the pattern of alleged procedures, I am not so concerned about the form of the procedure which has already been laid out, and we understand that, at least I think I do, but simply the actions taken by any board under the procedures that have already been prescribed, and I think it is very important, if you are going to interrogate these people, that we be in possession of all the facts.

Senator TYDINGS. Senator McMahon?

Senator McMAHON. If there is any objection to the procedure requested, I would prefer to do it with Senator Lodge present, anyway. I would be glad, if the Senator from Wisconsin objects to having these men brought up, to have the request deferred until a later time. That is quite all right with me.

It seems to me that it would be of interest both to him and to us, to take a look at the kind of men and get the background of the men who are accused of having done an incompetent job in this respect.

I do not press it.

Senator TYDINGS. If the motion is not pressed, the Chair will tell the witness to proceed.

I think where we were, at the time we got off on this idea, was that the Senator was about to offer in evidence the supporting material to sustain the statements he made yesterday, as far as I can recall.

Senator McCARTHY. Senator, the Senator from Connecticut just said if the Senator from Wisconsin objects to having them, having the men brought up, so let's make it clear: I think they should be brought up, brought before you, but in such a fashion that some purpose will be served. I objected, not to their being brought up, I think they should be brought here, I objected to the procedure you outlined, bringing the men up and saying "We will look at them and find out whether they are nice-looking people."

Senator TYDINGS. We will take that up later and bring the witnesses up at an appropriate time. I do not think we need any further explanation. I think we have to get on with the evidence, or we will be here after the next election.

I might say some of us are hopeful that that will be a prophecy.

Senator McCARTHY. Where was I, Mr. Reporter?

(The record was read by the reporter.)

Senator McCARTHY. I objected to bringing the men up and saying that they are nice-looking people, and finding out whether—

Senator TYDINGS. You have said that before.

Senator McCARTHY. Let me finish, Mr. Chairman.

Senator TYDINGS. It takes you so long, you make so many speeches in the course of giving the testimony, the chairman does not want to cut you off, but we have had so many speeches rather than evidence, that we are getting along at a snail's pace.

Senator McCARTHY. I hope the Chair is not intimating that this is being delayed by the witness.

Senator TYDINGS. I think the witness will have to share at least part of the blame.

Senator GREEN. If the witness could learn there were two words in the English language, "yes" and "no," he might use them more frequently and it would be very helpful.

Senator McCARTHY. As I started to say, so that we may know whether or not it means anything when it is said that a certain individual "has been cleared by the loyalty board," I do think they should be brought up at the earliest moment, but only when the files in the specific cases are available.

Senator TYDINGS. That is in the record three times now.

We will go on with the testimony.

Senator McCARTHY. With the Chair's permission, I shall proceed in my own fashion, as best I can.

Senator TYDINGS. Go ahead.

Senator McCARTHY. I believe, before the committee started the discussion, I had said the next case which I shall present to the committee is infinitely worse than this one, but the loyalty board still placed its stamp of approval on him.

Senator TYDINGS. Just a moment, please.

Did I understand that you were going to put the supporting testimony in on case No. 1 before you took up case No. 2; and, did not you say that would be a good thing to do?

Senator McCARTHY. I have told that to the chairman several times.

Senator TYDINGS. You mean, you do not have it now but you will put it in later?

Senator McCARTHY. I am putting it in, Mr. Chairman.

Senator TYDINGS. I thought you were on case No. 2.

Senator McCARTHY. Wait a minute, will you?

Senator TYDINGS. Let me get it straight.

Senator McCARTHY. I did not—

Senator TYDINGS. Just a minute; are you on case No. 1 or case No. 2 now?

Senator McCARTHY. I intend to put in the documents on case No. 1 before we touch case No. 2, and put them in on case No. 2 before we go to case No. 3.

May I finish my statement?

Senator TYDINGS. Yes.

Senator McCARTHY. I think this very day the President has a responsibility to call this loyalty board before him and find out why the individual I named yesterday was declared loyal. It is his duty to find out why this loyalty board declared her loyal—without even questioning her—when they had a report from the FBI showing that she belonged to considerably more than 28 Communist-front organizations.

Senator TYDINGS. That is not testimony in this case at all, it is nothing but an opinion of what the President of the United States ought to do. Let's get on with the evidence. I am tired of having these speeches of what the President ought to do. Let us see what we ought to do, which is get into this evidence.

Senator McCARTHY. The Chair has the right to order stricken any testimony I give, and I am making a statement I think is important. It is difficult, with the constant repeated interruptions and heckling by the Chair—

Senator TYDINGS. We are here to hear evidence of disloyalty of employees in the State Department. We are not here to hear what the President of the United States ought to do. That is something we can debate in another place, and I would thank the witness to confine himself to the matter under investigation.

Senator McCARTHY. Mr. Chairman, I believe I was up to page 4, yesterday, and, I think, to exhibit 5.

Let us now consider exhibit 5. The committee will note that on January 18, 1935, over 15 years ago, Judge Kenyon was a sponsor of the Political Prisoners Bail Fund Committee.

This outfit had its headquarters in room 1200, at 154 Nassau Street, in New York.

The Political Prisoners Bail Fund Committee was a subsidiary of the International Labor Defense, which has been cited as subversive by the House Un-American Activities Committee, the California Un-American Activities Committee, and the Attorney General.

This exhibit, which I now hand to the chairman, employing the well-known jargon of the Communist Party—

Senator TYDINGS. Just a moment. The matter will be inserted in the record in full.

Senator McCARTHY (continuing). Sets forth the noble purpose of a common bail fund for those arrested in the struggle of the working class, for the rights of oppressed minorities, in the fight against war and fascism.

The Chairman of the Political Prisoners Bail Fund Committee was Paul P. Crosbie, the recently deceased leader of the Communist Party in Queens County, New York.

Recently in the Federal court in New York, 11 men were convicted of conspiracy to overthrow our Government. Among them was Benjamin J. Davis, Jr. Benjamin J. Davis, Jr., was one of the trustees of the committee under discussion.

Other "great" Americans on this melancholy and malodorous aggregation were Corliss Lamont, Carol Weiss King, and Charles Krumbein, who was the late treasurer of the Communist Party of the United States.

Again we find the lady in familiar company.

Now, if I may, I would like to discuss exhibit 6, which I now hand to the committee.

Senator TYDINGS. Senator McCarthy, of course all the names will be printed into the record, and the names are very numerous. You always read, as I recall, a few of the names.

It would be very helpful, I am sure, to the press, if we could find the medium of letting the press have all the names on these exhibits, rather than just a few of them.

Senator McCARTHY. I would suggest we make all of the exhibits available to the press.

Senator TYDINGS. I will state to the press now, that it is going to take a long while to number them and go through a list like that, if you want to see it, because there is probably on this list two or three hundred names, and I want to accommodate the press but I am a little at odds as to how we can give you all these names, unless the time is taken to read them. It will take quite a little while.

I think the fair way to do it would be to present the evidence, if you allow me to suggest it, I have no desire to alter your testimony, but present the thing without comment in part of names, unless you put all the names in so that the document may have the full connotation before the people of the country.

Senator McCARTHY. I thank the Chair for its suggestion. May I say this—

Senator TYDINGS. I hope the Senator will comply with it. I think it is in the interest of fairness and would not detract from anything he has to say.

Senator McCARTHY. I thank the Chair for his suggestion, and it is entirely possible the Chair might present the evidence in a different fashion than I do, perhaps in a better fashion, I don't know. I think it is important to show the well-known Communist names that appear quite all the way through this case. There are individuals who—may I say that the purpose of a front organization—

Senator TYDINGS. Rather than argue, proceed in your own way.

Senator McCARTHY. That is what I am doing now, Mr. Chairman.

There are individuals who are fine Americans who have been induced to put their names on a few of these documents, but I think it is important to show the company these individuals have kept all the way, and particularly the company this individual has kept all the way through the picture.

Senator TYDINGS. I would like to tell the press that the date of the last exhibit, or the next to the last exhibit—what was that?

Senator McCARTHY. It was January 8, 1935. I read it.

Senator TYDINGS. And the date of the present exhibit, is—New York Times of October 9, 1944.

Senator McCARTHY. The Chair will note that these exhibits are dated all the way from 1935 up to the present date.

It will be noted that exhibit 6 is a paid political advertisement inserted in the New York Times of October 9, 1944, on page 12.

Morris U. Schappes is a man who was convicted in the State court of New York for perjury. This is the organization which was formed to defend him, this organization called the Schappes Defense Committee, with headquarters at 12 Astor Place. I was sponsored by Judge Kenyon.

Senator TYDINGS. You mean she was one of the sponsors, do you not?

Senator McCARTHY. One of the sponsors.

Senator TYDINGS. You do not want to leave the impression that she was the motivating influence.

Senator McCARTHY. I do not know who the motivating influence was, Senator.

Judge Kenyon was a sponsor of this organization. But lest there be any doubt of the Communist character of this group, let me quote from a report of the House Un-American Activities Committee, which said on page 1555, of appendix 9:

Morris U. Schappes admitted in sworn testimony before the Rapp-Coudert committee that he joined the Communist Party in the summer of 1934. He further admitted that he was a member of the Communist Party's educational commission. He told the Rapp-Coudert committee that he used the name Alan Norton in the Communist Party, and that under that alias he had delivered the report of the educational commission at the tenth convention of the Communist Party in 1938.

Schappes was on the teaching staff of the College of the City of New York for a period of 13 years. In 1930 his superior on the college faculty refused to recommend him for reappointment. This action led to prolonged agitation by the Communist Party and its front organizations on behalf of Schappes. The following organizations participated in this agitation: The Communist Party, the Young Communist League, the American Student Union, the League of American Writers, the American League Against War and Fascism, and the International Workers Order.

In 1937 the borough president of the New York County in the city of New York, Mr. Stanley M. Isaacs, appointed as an assistant on his staff a reporter for the Communist Daily Worker named Simon W. Gerson.

Almost immediately, the patriotic citizens of New York, led by the American Legion and other equally reputable organizations, entered a vigorous protest on the naming of an avowed Communist to a responsible city position.

The Daily Worker wrote a letter, ranting and screaming against this "witch-hunting campaign" and "injustice," and launched a violent and intemperate tirade against any and all who felt that the city might better be served by a 100 percent American.

They sought the aid of fellow Communists, fellow travelers, suckers, and just plain dopes. The latter two categories are found frequently in the Communist manifestos, but they do not remain long.

The test of a real Red, Fascist, or fellow traveler is a constant adherence to the rapidly shifting Communist Party line over a long period of years. Here again we have this prominent State Department official, Judge Kenyon, crying aloud in her anguish for a fellow red, and I call anyone who gets \$12,000 a year of the people's money, very prominent.

Senator GREEN. May I ask a question? That \$12,000 a year is a little misleading. Did she get \$12,000 a year?

Senator McCARTHY. Senator, the information I gave the committee is from the Federal Register. That, I believe, shows she received \$12,000 a year. I understand the State Department said last night that this woman was not receiving payment for the full year, that she only received payment for the time she worked, at the rate of \$12,000 a year. I believe they announced that she only worked officially at the job a number of weeks.

Senator GREEN. Thank you. That was the rate at which she was paid?

Senator McCARTHY. That is right. That is a fairly important person, who gets paid at the rate of \$12,000 a year and, I assume, expenses.

But this exhibit 7 is equally interesting in that Miss Kenyon is named as representing the Consumers' Union.

Consumers' Union is an admittedly, out-and-out Communist-dominated and owned organization. It has fronted for the party since its inception in 1935 and is headed by Arthur Kallet, whose Communist Party alias is Arthur Adams.

Mr. Chairman, I have the document but it is a bad job of photostating, so I have gotten the complete page of the Daily Worker which contains this particular document, and I will give you both as exhibit 7, the document and the much more readable Daily Worker photostat.

Senator TYDINGS. If the Senator will hesitate in his testimony a moment, we can look over this.

Which part is it? May I ask the Senator which part it is?

Senator McCARTHY. It starts down—

Senator TYDINGS. I see, down at the bottom, is that it?

Senator McCARTHY. That is right.

Senator TYDINGS. For the purpose of identification, these are allegedly, and I suppose accurately, photostats of two pages of the Daily Worker, in which appears a news article of February 10, 1938—it appears to be a news article under the heading "Leading citizens laud Isaacs' stand on Gerson," and it is continued over to page 4 of the same paper under the heading of "47 leading citizens denounce witch hunt on Gerson's appointment."

This is a newspaper article in the Daily Worker.

Senator McCarthy, might I ask you how much longer it would take you to put in the exhibits you have to support the statements you made?

Senator McCARTHY. It all depends, Mr. Chairman, on how much time the committee takes in examining the exhibits. I might say, if I am not interrupted at all, it would take about 10 minutes to put them in.

Senator TYDINGS. I will ask the committee not to interrupt. Let him now proceed.

I will ask the Senator if he won't try to conclude in 10 minutes. I have a very important matter to lay before the committee, and the Senate, immediately.

Senator McCARTHY. Good—very good.

Here again we have Miss Kenyon associated with such well-known Communists as Harry F. Ward, Louis Weinstock and Irving Potash, who is 1 of the 11 convicted Communist conspirators.

One of the most notorious Communist-front organizations is the League of Women Shoppers. Two months ago, the League of Women Shoppers merged with the Congress of American Women.

The Congress of American Women has been cited as subversive by the Attorney General of the United States, the House Committee on Un-American Activities and the California Committee on Un-American Activities. There is no question whatsoever of its Communist domination, background, and purposes.

I submit to the committee exhibit 8 which lists the directors and sponsors of this organization, and it will be noted that we again have Miss Dorothy Kenyon in the company of such well-known pro-Communists as Helen Seldes and Josephine Herbst, who was fired from the OSS by Gen. William Donovan because of her Communist connections.

Senator TYDINGS. Give the date of this exhibit. It is not on here that I can find. If you gave it, it's all right, but I thought you might have it.

Senator McCARTHY. Mr. Chairman, I do not know whether I have given you the date or not.

Senator TYDINGS. Where does it come from? There is no identification.

Senator McCARTHY. It is on the letterhead of the League of Women Shoppers, 70 Fifth Avenue, New York, and it contains a list of directors and sponsors. That is what this is, Mr. Chairman.

Senator TYDINGS. All right.

Senator McCARTHY. The message in this particular document has been blacked out.

Senator TYDINGS. Go ahead.

Senator GREEN. May I ask about that?

Senator McCARTHY. I won't be able to conclude in 10 minutes, if you interrupt.

Senator GREEN. I notice the date is blacked out. Have you the original?

Senator McCARTHY. I have not.

Senator GREEN. You have not?

Senator McCARTHY. I have not.

Senator GREEN. Can you get it so that you can insert the date?

Senator McCARTHY. If I cannot, I am sure the staff can get a letter-head from the League of Women Shoppers.

Senator GREEN. That is not the job of the Committee—

Senator McCARTHY. May I proceed to try to finish, Mr. Chairman, in the requested 10 minutes?

As an indication of the far-reaching power and influence of this Communist-front organization, the committee might be concerned to know that Mrs. Dean Acheson, the wife of the Secretary of State, is listed on page 1023 of appendix 9 of the records of the House Committee on Un-American Activities as a sponsor of its Washington branch. There is no length to which these purveyors of treason will not go to bring into their fold the names of unsuspecting and misguided men and women who are influenced by a glib story of social or economic improvement and thus lend prestige to a sordid and dissolute cause.

Mrs. Acheson appears once on the roster of these subversive organizations and Miss Kenyon more than a score of times.

Mr. Chairman, this indicates that it is easy to get some fine individual's name connected with isolated Communist-front organizations, but that circumstance is not the same when you find the same names through a group of 28.

I have now given the committee a partial report on the activities of this official of the State Department. We find Judge Kenyon as sponsor of the American Committee for Anti-Nazi Literature in March 1939 on exhibit 9. Governmental agencies have cited this organization as a Communist front.

Exhibit 9, and let me make it clear that when I cite Mrs. Acheson, I do that to show how successful they have been in their attempts to get fine people on their lists.

Senator TYDINGS. You said that before.

Senator McCARTHY. Again in January of 1940 we find Miss Kenyon as a signer of a petition under the auspices of the American Committee for Democracy and Intellectual Freedom, an organization cited as subversive by the House Committee on Un-American Activities and the California Committee on Un-American Activities. I hand you exhibit 10.

Senator GREEN. Have you the date of that previous exhibit?

Senator McCARTHY. I said in January of 1940.

Senator GREEN. The date they were declared subversive?

Senator McCARTHY. Yes, we have complete dates compiled by the House Un-American Activities Committee. I will be glad to give that to the committee.

I might say that the date they were declared subversive, in my opinion, is not significant where we are dealing with a person who belongs to 25 or 30 of them.

Senator TYDINGS. But, you will put them in the record?

Senator McCARTHY. Yes, I will put them in the record.

I think that is significant, when we find the same people connected with them, and that information will be available, I will state that to you, Mr. Chairman, later on.

Senator TYDINGS. Thank you.

Senator McCARTHY. Exhibit 11 again shows Judge Kenyon on the Advisory Committee of the Citizens Committee to Aid Striking Seamen, which has been cited as subversive by Government agencies.

Exhibit 12 again shows Miss Kenyon as a member of the advisory board of Film Audiences for Democracy, an organization which has been cited as subversive by governmental agencies.

Exhibit 13 lists the officers and advisory board of Films for Democracy, an organization cited as subversive by the governmental agencies. Again we have Dorothy Kenyon as a member of the advisory board.

The next exhibit 14, shows Miss Kenyon as a sponsor of the Greater New York Emergency Conference on Inalienable Rights, an organization cited as subversive by governmental agencies.

I will hand the entire list to the Chair.

Senator TYDINGS. What is this list a part of, this 13?

Senator McCARTHY. May I hand the Chair the entire list so he can follow me.

Senator TYDINGS. So that we won't get the papers mixed.

Senator McCARTHY. I was referring to exhibit 14 now.

Senator TYDINGS. Would it be agreeable to you to put the testimony that you are about to read in conclusion—

Senator McCARTHY. Just one paragraph and I will be through.

In the New York Times of Tuesday, January 31, 1939, appeared an advertisement under the auspices of the Washington Committee to Lift the Spanish Embargo. The committee will note that this exhibit 15 names Miss Dorothy Kenyon as an "eminent American" who ardently supported the Communist cause in Spain.

Exhibit 16 shows Miss Kenyon as a sponsor of the Lawyers Committee on American Relations with Spain, another organization listed as subversive by governmental agencies.

I could continue to give this type of evidence for some time, but it appears to me that the pro-Communist background of this official of the State Department has been abundantly and conclusively established.

Exhibit 17 which lists Miss Kenyon as a member of the advisory board of the Milk Consumers Protective Committee is merely another Communist front, cited by a governmental agency as subversive.

I suggest to the committee in concluding my remarks on Miss Kenyon, that by the findings of the Attorney General of the United States and other responsible governmental agencies, she does not conform by any stretch of the imagination to the yardstick of loyalty set forth by Secretary of State Acheson.

Senator TYDINGS. Thank you, Senator McCarthy; and, I would like to read the committee now a telegram that I have just received, and ask the committee's advice on what we should do about it:

I will welcome an opportunity to appear before the committee at its earliest convenience to attack Senator McCarthy's outrageous and maliciously false charges against me. Judge Kenyon.

What does the committee desire to do about this?

Senator GREEN. I think the committee should meet in executive session.

Senator TYDINGS. Without objection, the hearing will be recessed, subject to the call of the Chair.

This may be tomorrow morning, it may be Monday. I cannot tell you accurately, but will let you know later today.

Please clear the room promptly as some of the Senators have engagements, and I am anxious to dispose of this matter.

(Whereupon, at 12:50 p. m., the subcommittee stood in recess, subject to call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, MARCH 13, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment on March 9, 1950, at 10:30 a. m. in room 318, Senate Office Building. Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally (chairman of the full committee), and McCarthy.

Senator TYDINGS. The committee will come to order.

The witness will proceed with his testimony.

TESTIMONY OF HON. JOSEPH P. McCARTHY, UNITED STATES SENATOR FROM WISCONSIN—Resumed

Senator McCARTHY. Mr. Chairman, I brought along with me a book put out by the Committee on Un-American Activities. This contains the listing which the Chair asked for the other day.

Senator TYDINGS. Good.

Senator McCARTHY. It indicates the date the various front organizations have been declared subversive, or fronts.

Now, I cannot give this to the chairman, but I will loan it to him. I will need it every night when I prepare for the next day.

Senator TYDINGS. Let us look at it for a moment.

Senator McCARTHY. You may use it during the day.

Senator TYDINGS. Go right ahead, Senator.

Senator McCARTHY. I might say, in giving that to the Chair, that I do not think that the indication that certain front organizations have been declared subversive is important insofar as some of the more intelligent people belonging to them are concerned. I think it is more important when we speak of the naive people, or the dupes who may be fooled.

The next case is that of one Haldore Hanson.

Senator TYDINGS. Will you spell that, please?

Senator McCARTHY. H-a-l-d-o-r-e H-a-n-s-o-n.

I will have a copy of this for the press in about 3 minutes, and for the members of the committee.

Senator TYDINGS. Go right ahead.

Senator McCARTHY. This man, Mr. Chairman, occupies one of the most strategically important offices in the entire State Department.

The indications are that he joined the Department of State in February 1942, and is recognized in the Department as a specialist and expert on Chinese affairs.

Hanson, now executive director of the Secretariat of the Inter-Departmental Committee on Scientific and Cultural Cooperation, will head up a technical cooperation projects staff of the new point 4 program for aid to underdeveloped areas, which will have charge of the expenditures of hundreds of millions of dollars of our taxpayers' money over all the world.

For the source of this, Mr. Chairman, this is from the as-yet-unpublished Department of State departmental announcement 41, dated February 21, 1950; and, if the Chair will just wait, I will be using this myself later, and I will hand it to him.

Senator TYDINGS. All right.

Senator McCARTHY. The pro-Communist proclivities of Mr. Hanson go back to September 1938, that is, insofar as I have records of them.

Hanson was a contributor to Pacific Affairs, the official publication of the Institute of Pacific Relations, whose staff was headed by millionaire Frederick Vanderbilt Field, an admitted Communist. Incidentally, the Institute of Pacific Relations was listed as a Communist-front organization by the California Committee on Un-American Activities, and the date will be shown in the book I have handed to the Chair.

However, I do not think these dates are important, insofar as this man is concerned. This is not a dupe. Here is one of the cleverest, one of the smoothest men we have in the State Department.

This man Field has devoted his entire fortune to the Communist cause.

It is important to keep in mind that Mr. Hanson also wrote for the magazine Amerasia, of which Philip Jacob Jaffe was managing editor.

Jaffe was arrested, indicted, and found guilty of having been in illegal possession of several hundred secret documents from the State, Navy, War, and other Government department files.

Mr. Chairman, I now have before me a document entitled "Department of State Departmental Announcement 41." I believe I have already given the date as February 21, 1950. The heading is "Establishment of the Interim Office for Technical Cooperation and Development." Then, in parenthesis, by way of explanation of this rather high-sounding name, we find "Point 4 Program."

The first paragraph of the order reads as follows:

One. Effective immediately there is established under the direction of the Assistant Secretary for Economic Affairs of the Interim Office for Technical Cooperation and Development (TCD).

\ The initials of that will be "TCD" according to this announcement.

Turning over to page 4, Mr. Chairman, we have listed as the Chief of this technical cooperations project staff, this man Haldore Hanson. His phone extension is 3011, and 5012, in the State Department.

Paragraph 2 on page 1 sets forth the following responsibilities of Mr. Hanson's division. I will read this. I think it is important to

the committee, as you hear the balance of the evidence in regard to this man:

The Interim Office is assigned general responsibility within the Department for (a) securing effective administration of programs involving technical assistance to economically undeveloped areas and (b) directing the planning in preparation for the technical cooperation and economic development (point 4) program. In carrying out its responsibilities the Interim Office will rely upon the regional bureaus, Bureau of United Nations Affairs, and other components of Economic Affairs area for participation in the technical assistance programs as specified below, and upon the central administrative offices of the administrative area for the performance of service functions.

Mr. Chairman, before this is handed out to the press, I would like to ask that the entire document be considered as accepted in evidence.

Senator TYDINGS. Mark it as an exhibit, Senator.

This is a new case, and you might give the initials of the subject of it, and then put after it, a letter in sequence, so we can have them in order.

In this case it will be "18."

Senator McCARTHY. Very good, sir; and also "19," the departmental announcement No. 41.

Senator TYDINGS. All right.

Senator McCARTHY. I will hand that to you in just a moment.

Senator TYDINGS. Keep it as long as you want it, but when you have finished it, pass it to us, so we can see it.

Senator McCARTHY. Thank you very much.

From this it would appear that his division will have a tremendous amount of power and control over the hundreds of millions or billions of dollars which the President proposed to spend under his point 4 program, or what he has referred to as the "bold new plan."

Hanson's appointment is not made by the President, but by the State Department, and is not subject to any Senate confirmation. Therefore, it would seem rather important to examine the background and philosophy of this young man.

The State Department Biographical Register gives what would, on its face, seem to be a chronological story of an increasingly successful young man. It shows, for example, that he graduated from college in 1934 at the age of 22; that he was a teacher in Chinese colleges from 1934 to 1937; and then a press correspondent in China from 1936 to 1939; a staff writer from 1938 to 1942; then in 1942, he got a job in the State Department at \$4,600 a year; that in 1944, he was listed as a specialist in Chinese affairs at \$5,600—and I ask the committee to keep in mind that this young man got his listing as a specialist in Chinese affairs in 1944; that in 1945 he was made executive assistant to the Assistant Secretary of State at \$6,500; that in May of 1948 he was made Assistant Chief of the Area Division No. 3; that on June 28, 1948, he was made Acting Chief for the Far Eastern Area, Public Affairs Overseas Program Staff—another date I ask the committee to keep in mind; and that on November 14, 1948, he was made executive director of the Secretariat of the Interdepartmental Committee on Scientific and Cultural Relations. There is certainly nothing unusual about this biography. Nothing is there to indicate that this man might be dangerous in the State Department as Chief for the Far Eastern Area Public Affairs, Overseas Program Staff, during a time when the Communists were taking over China.

However, much is left out of this biography. It does not show, for example, that this young man was running a Communist magazine in Peiping when the Japanese-Chinese war broke out.

May I repeat, it does not show that this young man was running the Communist magazine in Peiping when the Japanese-Chinese war broke out. It does not show, for example, that he spent several years with the Communist armies in China, writing stories and taking pictures which the Chinese Communists helped him smuggle out of the country. I will show later where the Chinese generals did the smuggling for him. Nor does this biography show that this man, after his return from China, wrote a book—a book which sets forth his pro-Communist answer to the problems of Asia as clearly as Hitler's *Mein Kampf* set forth his solutions for the problems of Europe.

Nothing that he has said or done since would indicate that he repudiates a single line of that book.

Incidentally, in connection with that, I would like to point out that this is not a secret to the State Department. As early as 1947, Congressman Busbey read some very brief excerpts from that book on the House floor. That was called to Mr. Hanson's attention at that time and he did not repudiate any statement I shall read to you from that book.

This man clearly believes that the Communists in China stand for everything that is great and good. His is not the picture of a mercenary trying to sell his country out for 30 pieces of silver. In reading his book, you are impressed with the fact that he firmly believes the Communist leaders in China are great and good men, and that all of Asia would benefit by being communized.

In other words, we are not dealing here, Mr. Chairman, with the usual cheap Communist who is selling out for a price. Here is a man who, apparently from his book, is completely sincere that communism is the answer.

Take, for example, what he has to say about Mao Tse-tung, the head of the Communist Party at that time, and now the Communist ruler of China, and Chu Teh, commander in chief of the Eighth Route Communist Army, and according to *Life* magazine of January 23, 1950, No. 2 man in prestige to Mao Tse-tung.

In chapter 23, entitled "Political Utopia on Mt. Wut'AI," in describing a meeting with an American Major Carlson, here is what he had to say:

We stayed up till midnight exchanging notes on guerrilla armies, the farm unions, and the progress of the war. I was particularly interested in the Communist leaders whom Carlson had just visited and whom I was about to meet. Mao Tse-tung, the head of the Communist Party, Carlson characterized as "the most selfless man I ever met, a social dreamer, a genius living 50 years ahead of his time." And Chu Teh, commander in chief of the Eighth Route Army, was the "prince of generals"—listen to this, if you will—"a man with the humility of Lincoln, the tenacity of Grant, and the kindness of Robert E. Lee."

As we go on in the book, we find that after Mr. Hanson spent some time with these generals, his hero worship was even greater.

Mr. Chairman, for a man slated as Chief of the Bureau which may have the job of spending hundreds of millions of dollars throughout the world, this indicates, to say the least, a disturbing amount of hero worship for the No. 1 and No. 2 Communist leaders in the Far East today.

Listen to this. These are Hanson's own words, and no one else's. Hero is what Hanson says on page 349 of his book. He condemns the right-wing groups in the Chinese Government for "fighting against the democratic revolution as proposed by Mao Tze-tung and the Communists."

Senator TYDINGS. Senator McCarthy, are these his own words, or are they quoted from somebody else?

Senator McCARTHY. The quotes are from his own book. Everything in here, I will make clear, is from his own book.

I would like the Chair's permission to present the entire book and have that made a part of the record. I know that there is some expense involved in having this printed, but I think, in view of the fact that this man will be dealing with hundreds of millions or billions of dollars, the several hundred dollars it would cost to have that book reprinted, would be worth while. That is especially important in view of the fact that all of the books have mysteriously disappeared. I had to borrow the publisher's copy of the book in order to get the exact quotes.

I assure you I have taken these directly from the book and not from anyone else's version of it.

Senator TYDINGS. You offer it as an exhibit; we will take it and examine it. I understand it is a lengthy book—

Senator McCARTHY. It is rather lengthy. I would say about 500 pages; but it is extremely important to read the entire book, because I have gone through, hit or miss, and picked out what I thought were some of the sequence of quotes which very clearly express this man's attitude toward communism.

Senator McMAHON. Mr. Chairman—

The CHAIRMAN. Senator McMahon.

Senator McMAHON. I don't wish to interrupt, but I think we have to point out that this quote that the Senator talked about is quoting this Major Carlson, whoever he may be.

Senator McCARTHY. Let me make it clear, so that there will be no mistake. The first quote, as I say, is from chapter 23, and here is what Carlson said; then I said later on we will show a hero worship even greater.

Then, the next is on page 349: "He," meaning Hanson, "condemns the right-wing groups in the Chinese Government for 'fighting against the democratic revolution as proposed by Mao Tze-tung, and the Communists'." And we leave Carlson in chapter 23, and there is no other quote that will be a quote of Carlson.—

Senator McMAHON. But it was Carlson that described them or him as "the most selfless man I ever met, a social dreamer."

Senator McCARTHY. I have made that very clear. If the Senator will read that, that is very, very clear.

Senator TYDINGS. In order to conclude this, the witness said that the first quote he made was the statement by Major Carlson, and then he went on to quote, on page 349, the statement of the writer himself; is that correct?

Senator McCARTHY. Let me read this, so that there can be no question that there was any attempt by way of a misquotation.

In chapter 23, entitled "Political Utopia on Mount Wut'Ai", in describing a meeting with an American, Major Carlson, here is what he had to say:

We stayed up till midnight exchanging notes on guerrilla armies, the farm unions, and the progress of the war. I was particularly interested in the Communist leaders whom Carlson had just visited and whom I was about to meet. Mao Tze-tung, the head of the Communist Party, Carlson characterized as "the most selfless man I ever met, a social dreamer, a genius living 50 years ahead of his time." And Chu Teh—

still quoting from Hanson, says—

And Chu Teh, commander in chief of the Eighth Route Army, was "the prince of generals, a man with the humility of Lincoln, the tenacity of Grant, and the kindness of Robert E. Lee."

Senator TYDINGS. All right, pause there.

Senator McCARTHY. Yes.

Senator TYDINGS. What you have just read in quotes is what Major Carlson told the man who wrote the book, so the press will get it clear; is that correct?

Senator McCARTHY. The press has a copy, and it is very, very clear.

Senator TYDINGS. That is all right, then.

Senator McCARTHY. I am sure it is clear enough.

I might say, I certainly appreciate very much the opportunity to proceed and develop these facts today, the way the chair has been doing.

Senator TYDINGS. All right, go ahead.

Senator McCARTHY. Let me make it clear—

Senator TYDINGS. If we do interrupt, it will be only for purposes of identification.

Senator McCARTHY. I understand that, and I certainly have no objection to clarifying questions, and I hope the committee does ask them if necessary—ask such questions as they see fit.

Now, Mr. Chairman, this quote on page 349 of the book is very clear as to what this young man feels. There is nothing coy about that statement. That statement has not been retracted, either.

On the same page he points out that anti-Red officials within the Government were making indirect attacks upon the Communists and that, quoting from the book, Hanson's own words, "leaders of the Communist Youth Corps were arrested by military officers at Hankow. I myself was the victim of one of these incidents and found that local officials were the instigators."

Just listen to this. He says, "I myself was the victim of one of these incidents and found that local officials were the investigators."

In other words, here is this man Hanson, in his own book, on the same page, page 349, who says that the anti-Red officials were making attacks on the Communists, and I quote him when he says "leaders of the Communist Youth Corps were arrested by military officers at Hankow." And he says, "I myself was the victim of one of these incidents and found that local officials were the investigators."

So, this young man has a criminal record in China where he was arrested, not by the Communists, but by the anti-Communists.

From Hanson's book it appears, right in the next paragraph, that the Nationalist Government knew of his close collaboration with the Communist Army. For example, on page 350, we find that his pass-

port was seized by the police in Sian when they found that he was traveling from Communist guerrilla territory to the Communist headquarters. He states that the man responsible "for this illegal action was Gov. Ching Ting-wen, one of the most rabid anti-Red officials in China." The Governor's purpose, says Hanson, was merely to suppress news about the Communists.

That should be in quotes: "The Governor's purpose was merely to suppress news about the Communists."

Before quoting further from this book written by Mr. Hanson, it might be well to give a clearer picture of the job which Secretary Acheson has picked out for him. The State Department document lists some of the duties of his bureau as follows:

A. Developing over-all policies for the program.

B. Formulating general program plans and issuing planning directives.

C. Coordinating specific program plans developed by the regional bureaus, working under him, and making necessary adjustments.

D. Approving projects, determining action agencies, and allocating funds for United States bilateral programs.

E. Directing negotiations and relationships with intergovernmental agencies and with other United States agencies participating in the coordinated program or otherwise carrying on technical-assistance activities.

Initiating and developing plans for technical-assistance programs for individual countries within their respective regions.

B. Reviewing program proposals affecting their regions which originate from any other source.

C. Negotiating and communicating with foreign governments.

D. Directing State Department personnel assigned abroad to coordinate and give administrative and program support to bilateral programs.

I might say there, Mr. Chairman, section D. which I have just read, "Directing State Department personnel assigned abroad to coordinate and give administrative and program support to bilateral program"—as I develop the facts which I think the committee will consider important enough to proceed further on, you will find that most of these men with the same type of background, his unusual background, attempt to get in positions where they are directing the assignment of personnel. If they can direct the proper personnel in the proper place, it gives them complete control, of course, of the program.

E. Continuously evaluating programs and projects within regions.

F. Proposing program changes.

This is all work to be done by the unit to which Hanson has been assigned as chief.

G. Initiating instructions to the field carrying out their responsibilities and reviewing all other instructions concerned with technical-assistance programs.

This gives you some idea of the tremendous powers of the agency in which Mr. Hanson is the Chief.

Let us go back to Hanson's writings—and incidentally, I direct your attention to Mr. Leslie A. Wheeler, whose telephone extension is 3871; Technical Cooperative Policy Staff Chief will be Samuel P. Hayes, Jr., telephone extension 4571 and 4572; Technical Cooperation Management Staff is Richard R. Brown, extension 2155.

Now, let us go back to Hanson's writings:

All through the book he shows that not only did he have complete confidence in the Communist leaders but that they also had complete confidence in him. On page 258 he refers to how Communist Generals Nie and Lu Chen-tsao acted as his couriers, smuggling packets of films and news stories for him, with the aid of Communist guerrilla spies, into Peiping.

In this connection I might say that he very frankly points out that the Communists do not tolerate anyone who is not completely on their side. This is what Hanson himself said—they do not tolerate anyone who is not completely on their side.

Hanson makes it very clear all through the book that he is not only on the Communist side but that he has the attitude of a hero-worshiper for the Chinese Communist leaders.

His respect and liking for the Communist leaders permeates almost every chapter of the book. For example, on page 284 and page 285, he tells about how some ragged waifs whom he had gathered into his sleeping quarters regarded Mao Tse-tung and Chu Teh as "gods." That is his language. He then goes on to tell about their favorite Communist general, Holung, and states that they convinced him that Holung was a very extraordinary man whom they described as "big as a Shantungese, heavy as a restaurant cook, but quick as a cat in battle." He then goes on to describe on page 285 how, when he himself met General Holung, he found him to be much as the hero-worshiping boys had described him. "He is," said Hanson, "a living picture of Rhett Butler from the pages of Gone With the Wind."

This praise of Chinese Communist leaders goes on, page after page. On page 278, he describes Communist General P'eng as the most rigid disciplinarian and "the most persistent student of world affairs."

In chapter 26, he speaks with apparent bated breath of the Brain Trust of Communist leaders who were immortalized by Edgar Snow in his Red Star Over China.

That part should be in quotes—"Communist leaders who were immortalized by Edgar Snow in his Red Star Over China."

Senator HICKENLOOPER. Mr. Chairman, is it Show, as on my copy, or should that be Snow?

Senator McCARTHY. Sorry. The typewriters in my office sometimes make mistakes; that is "Snow."

On page 295, in referring to two other Communist generals, he says:

Should this book ever fall into Communist hands, I must record that those two lonely men made excellent company during my 8 weeks in Yenan.

In reference to the Communist university at Yenan, if you care to make that correction on page 9, after referring to the Communist university in Yenan, after describing in complimentary manner this university and the students, on page 296 he says:

Every cadet divides his time between political and military subjects. On the one hand he listens to lectures on Marxian philosophy, the history of the Chinese Revolution, the technique of leading a mass movement; on the other hand he studies guerrilla tactics, the use of military maps, and the organization of a military labor corps.

On page 297 he points out that no tuition is charged at the academy and that each student is supplied with uniform, books, and food, plus

a pocket allowance, and then has this to say—and this should be rather humorous, except that it is a bit tragic:

Some recent visitors to Yenan have spread a report that the academics are supported by Russian rubles—a thin piece of gossip.

Says Mr. Hanson:

I was told by several Chinese leaders, including Mao Tse-Tung, that the largest contributions came from American sympathizers in New York.

On pages 297 and 298, Hanson relates that in talking to one of the Nationalist warlords, and I will call your attention to this again—in talking to one of the Nationalist warlords:

I suggested that he could learn a good deal from the Communists about discipline and integrity of leadership.

On page 303, Hanson has this to say:

My attitude toward Communist China's leaders was a mixture of respect for their personal integrity and a resentment of their suspiciousness. They impressed me as a group of hardheaded, straight-shooting realists.

Now, that is Hanson's description of Communist China's leaders:

They impressed me as a group of hardheaded, straight-shooting realists.

After an interview with Mao Tse-tung, he states:

I left with the feeling that he was the least pretentious man in Yenan and the most admired. He is a completely selfless man.

Now, here is a man who is not quoting anyone else except himself.

Following is Hanson's description of how the Reds took over. I quote from page 102:

Whenever a village was occupied for the first time, the Reds arrested the landlords and tax collectors, held a public tribunal, executed a few and intimidated the others, then redistributed the land as fairly as possible.

In chapter 28, in comparing the Communists to Chiang Kai-shek's troops, Hanson had this to say:

I left Yenan with only one conviction about the Communists: that they were fighting against the Japanese more wholeheartedly than any other group in China.

He then goes on to condemn, using his language, "Red-baiting" officials in Chungking.

On page 312 of his book, Hanson quotes a Communist editor as stating as follows:

Our relationships to the U. S. S. R.—

and Hanson is now quoting this editor—

is no different than that of the American Communist Party. We respect the work of Russia's leaders and profit by their experience wherever we can, but the problems of China are not the same as those of Russia. We plan our program from a Chinese point of view.

Hanson then adds:

The explanation seemed logical enough to me.

In connection with Hanson's position as Chief of the Technical Cooperation Projects staff, in charge of Truman's point-4 program, the following on pages 312 and 313 of his book would seem especially significant. He quotes Mao Tse-tung as follows:

China cannot reconstruct its industry and commerce without the aid of British and American capital.

Can there be much doubt as to whether the Communist or the anti-Communist forces in Asia will receive aid under the point 4 program with Hanson in charge?

Gentlemen, here is a man with a mission—a mission to communize the world—a man whose energy and intelligence, coupled with a burning all-consuming mission, has raised him by his own bootstraps from a penniless operator of a Communist magazine in Peiping in the middle thirties, to one of the architects of our foreign policy in the State Department today—a man who, according to State Department announcement No. 41 will be largely in charge of the spending of hundreds of millions of dollars in such areas of the world and for such purposes as he himself decides.

Gentlemen, if Secretary Acheson gets away with his plan to put this man, to great extent, in charge of the proposed point 4 program, it will, in my opinion, lend tremendous impetus to the tempo at which communism is engulfing the world.

On page 32 of his book, Hanson justifies "The Chinese Communists chopping off the heads of landlords—all of which is true," because of "hungry farmers." That the farmers are still hungry after the landlords' heads have been removed apparently never occurred to him.

On page 31 he explained that it took him some time to appreciate the "appalling problems which the Chinese Communists were attempting to solve."

In chapter 4 of Hanson's book, he presents the stock Communists' arguments for the so-called Stalin-Hitler pact of 1939.

Secretary Acheson is now putting Hanson in the position to help the Communists solve the appalling problems in other areas of the world with hundreds of millions or billions of American dollars.

The obvious area, Mr. Chairman, in which this man will start using American money to help the Communists solve the people's problem will be Indochina and India.

It should be pointed out that this case was brought to the attention of State Department officials as long ago as May 14, 1947. At that time, the Honorable Fred Busby, on the floor of the House, discussed this man's affinity for the Communist cause in China, and while he did not discuss in detail the quotes from the book, Mr. Busby did call the State Department's attention to the fact that he had written this book, and that was before he got the promotions which made him, for example, Acting Chief for the Far Eastern Area, Public Affairs, et cetera.

So much for Hanson.

Senator TYDINGS. Senator, is there any way the committee could get another copy of this book to which you referred?

Senator McCARTHY. The committee can get a copy, I am sure, from the publishers.

Senator TYDINGS. Will you leave the name of the publisher, and his address, at your convenience?

Senator McCARTHY. I am sure I can borrow another copy long enough to have it reproduced, or for the committee's perusal. There may be a copy available over in the Library of Congress, I am not sure.

Senator McMAHON. What was the date of publication?

Senator McCARTHY. After he came back from China, so I assume that would be in 1939, Senator.

Senator McMAHON. It was published in 1939?

Senator McCARTHY. Yes, in 1939; but keep in mind Hitler's Mein Kampf was published 10 years before he started putting each and every paragraph into action.

Senator TYDINGS. All writings you refer to, I take it for granted, were in the book published in 1939?

Senator McCARTHY. Yes, except when I referred to Amerasia, and the Institute of Pacific Relations—it is all in the document.

Senator HICKENLOOPER. Do you have the book with you, Senator?

Senator McCARTHY. No, I have not.

Senator HICKENLOOPER. I am sure the book will show when it was published.

Senator McCARTHY. I am sure it was published in 1939.

Senator McMAHON. Do you know the name of it, Senator?

Senator McCARTHY. I gave you the name.

Senator McMAHON. Did you? I did not think you did.

Senator TYDINGS. Could you refresh your mind and give us the name of the book, in case it is not in here? I thought you gave it.

Senator McCARTHY. I think it is in here. If it is not, I will have the name for you in just a minute.

Senator McMAHON. It is not in here, Senator.

Senator McCARTHY. It may not be in there. Without searching for that, I have sent for it so the Chair will have it later.

Senator TYDINGS. You will furnish that?

Senator McCARTHY. I am sure I can at least borrow a copy for the Chair.

The next case, Mr. Chairman—

Senator TYDINGS. Senator, pardon me just a moment.

I will ask one of the advisers of the Foreign Relations Committee if he will not try to get that book out of the Library before somebody else gets to it; in the event there are not many copies of it the committee will want to have it.

Senator McCARTHY. If you will call my office, they will give you the name of it. I am sorry it is not in the document.

Senator TYDINGS. That must be attended to quickly or the book will be gone.

Senator McCARTHY. I do not think that the copy will remain there very long, if there is a copy in the Library.

I might say, Mr. Chairman, that this is my own filing system—

Senator TYDINGS. Take your time.

Senator McCARTHY. And, perhaps not the best one.

The name of the book is Human Endeavor, Mr. Chairman.

Senator TYDINGS. The name of the book is Human Endeavor, by Haldore Hanson, published about 1939, apparently.

Senator McCARTHY. Sorry I have to hold the committee up this way.

Mr. Chairman, I would like next to take up the case of an individual who was assistant to Alger Hiss at the San Francisco Conference.

Senator TYDINGS. Let us have the copy.

Senator McCARTHY. Mr. Chairman, I would like to introduce this document, these documents, rather, and they will be marked 20, 21, and 22, and ask that they be received in evidence.

Senator TYDINGS. Call them, as you put them in.

Mr. Clerk, are you getting them, because we are going to leave you with the responsibility of having all these exhibits. Do not lose them. If any exhibits are lost—

Senator McCARTHY. Mr. Chairman, if any are lost by the reporter, I am sure I can supply the copies.

This is not in my printed document, the fact that this woman, Esther Caukin Brunauer, in the State Department, was the first assistant to Alger Hiss in the San Francisco Conference. This is set forth in her biographical sketch issued by the State Department.

I might say that the case of this woman's husband is extremely important, important not to this committee because of his case, because he is not in the State Department, and there are facts about that case which I cannot discuss in public, but I would like to give the Chair a memorandum on that when he starts his investigation, because the present status of the husband will shed lots more light on this case.

Senator TYDINGS. Senator McCarthy, how you shall give us the information is entirely up to you. We will take what you want to give us in the open, and what you think we ought to have in executive session, we will receive there.

Use your own judgment, because obviously we do not know what the evidence is.

Senator McCARTHY. I should like now to take up the case of Esther Caukin Brunauer, Assistant Director of Policy Liaison, UNESCO Relations Staff, Department of State, at a salary of \$9,706 a year according to the current Federal Register. I urgently request that this committee give serious consideration to the details of this case and act immediately to ascertain the facts.

I think this is one case, Mr. Chairman, upon which you should take immediate action and the information I will supply the Chair today, in memorandum form, I believe will convince him of the necessity of immediate action.

Senator TYDINGS. Let me make sure I understand you. You are recommending that this be one of the first cases we investigate?

Senator McCARTHY. I think this definitely should be the very first case.

Senator TYDINGS. All right.

Senator McCARTHY. Mrs. Brunauer was instrumental in committing this organization to the support of various front enterprises, particularly in the so-called consumer field. One such instance of this activity was reported in the New York Times of April 27, 1943. In the case the American Association of University Women joined with Consumers Union, the League of Women Shoppers, and other completely communist-controlled fronts.

I might say here, again, you do not have a woman who is a dupe. You have an intelligent woman who makes an excellent appearance and excellent impression. She is not mistaken about these organizations. I know there are some joiners who may make the mistake of joining two or three of these Commie organizations before they have been declared so, who may do it without knowing what they are doing. But not this individual, who is an intelligent person.

Senator TYDINGS. Have you any idea what her age is, Senator, now, approximately?

Senator McCARTHY. I frankly haven't. I have never even seen the individual. I believe, maybe, some of the ladies do not give their ages in their biographical sketches.

Exhibit 21 indicates that Mrs. Brunauer presided at a Washington meeting of the American Friends of the Soviet Union. This again was some time ago. This starts back 15 years ago.

Senator TYDINGS. The date of it seems to be June 11, 1936.

Senator McCARTHY. This organization has been cited as subversive by the Attorney General of the United States, the House Committee on Un-American Activities, and the California Committee on Un-American Activities. The principal speaker at this meeting was Myra Page, long an avowed leader of the Communist Party and frequent writer for the Daily Worker and other Communist periodicals, so there can be little doubt about the subversiveness of that organization.

Certainly this committee has no doubts as to the domination by the Communist Party of the American Youth Congress. It has been cited as subversive by the Attorney General and other governmental agencies.

Senator TYDINGS. Are you referring now to the Senate cases, Senator?

Senator McCARTHY. Yes, Mr. Chairman.

This, Mr. Chairman, is case No. 57 in the Congressional Record.

Senator TYDINGS. I take it you mean that case No. 47 as given by you on the Senate floor about February 20, I think it was, is the case of Esther Caukin Brunauer.

Senator McCARTHY. That is correct.

Senator TYDINGS. Do you want to make any reference to your first case in the Congressional Record, or leave that out?

Senator McCARTHY. Yes, I do, Mr. Chairman. I am looking for that.

Here is what I said on the Senate floor, Mr. Chairman. This is what will be found in her file, along with other information:

This individual was employed in March 1944 as Division assistant in the Division of Internal Security. The House Un-American Activities Committee advised on August 8, 1947, that an admitted former Communist Party member was formerly associated with this individual in Communist activities in Washington, D. C. This individual's husband admitted having been a member of the Communist Party. The husband now has a highly confidential position with the Navy Department. The file indicates that this individual has been associated with a group of known Communists—

and I can assure the Chair the file does show that, to the best of my knowledge anyway.

Keep in mind, Mr. President, that she was given a job in the Division of Internal Security.

A report dated July 16, 1947, states that in 1941 a Senate Investigating committee had found that both this individual and her husband were members of the Communist Party. A report dated September 15, 1947, by a Government investigative agency, advised that a reliable informant reported this individual as a Communist and that she has been recently contacting a member of a Soviet espionage ring. This individual is still in a highly paid job in the State Department.

That is from the Congressional Record, Mr. Chairman.

Senator TYDINGS. Senator, before you leave the first case will you, either now or later, if it has any connotation with your remarks on the Senate floor, identify it? If it does not it is not necessary.

Senator McCARTHY. The first case was not mentioned on the Senate floor, Mr. Chairman.

Senator TYDINGS. That accounts for that.

Senator McCARTHY. The principal speaker at this meeting, referring to the meeting that this lady sponsored, was Myra Page, long an avowed leader of the Communist Party and frequent writer for the Daily Worker and other Communist periodicals.

Certainly this committee has no doubts as to the domination by the Communist Party of the American Youth Congress. It has been cited as subversive by the Attorney General and other governmental agencies.

Exhibit 22 shows Esther Caukin Brunauer was a signer of the call to the annual meeting of the American Youth Congress in 1938.

Senator TYDINGS. I don't want to divert the witness, but I think the press may not have a copy of this.

Senator LODGE. Neither has the committee.

Senator TYDINGS. It reads "We the Undersigned" and is broken down under the headings of women's organizations, health, education, trade-union, social service, government, and religious groups. There again I see some of our former colleagues: Arthur Capper, United States Senator from Kansas; L. D. Dickenson, Governor of Michigan; Matthew A. Dunn, United States Representative from Pennsylvania; James A. Farley, United States Postmaster General; Thomas F. Ford, United States Representative from California; Frank W. Fries, United States Representative from Illinois, and several other Representatives and a number of governors and a number of United States Senators. I won't take the time to read them.

Senator McCARTHY. I might say, Mr. Chairman, that I have refrained from naming the known Communists up here on all of these. Each document I present from day to day you will find contains some respectable citizens who have been duped into joining.

I might say this also in this case, Mr. Chairman. I do not think the fact that this woman belonged to these Communist front organizations can at all compare with the information the Chair will find in her files and in the files of her husband. I give these documents to show that those over in the State Department who hired her, and kept her on should have been put on notice, at least, that there was something wrong in the record; and also, I believe, when the Chair sees her record he will not be able to believe that she is still in a highly paid position having top secret clearance today.

This is, in my opinion, one of the most fantastic cases I know of.

Senator TYDINGS. I will not look at my records, of course, until the whole committee sees them at the same time. I just want to make that plain.

Senator McCARTHY. I understand that.

I might say also, I am not trying to advise the committee, but in all sincerity I don't think the members of the committee will be any more competent than I would be to go over and examine those records personally. I think you will have to have on your staff individuals who have been in this type of work for some years, who have taken some part in compiling those records, so that you will be able to get everything out of it.

May I suggest this further, especially. Especially in this Brunauer case I urge that the committee get not only her loyalty file, her personnel file—

Senator TYDINGS. Both in the State Department?

Senator McCARTHY. Both in the State Department.

Senator TYDINGS. Give me that again.

Senator McCARTHY. The State Department loyalty file, the State Department personnel file, and both files, which will be combined as one, over in the Civil Service Commission, and then what is doubly important, a glance at the FBI file on this woman and her husband. They are living together; at least I assume they are, which makes his file important also.

Exhibit 22 shows Esther Caukin Brunauer was a signer of the call to the annual meeting of the American Youth Congress in 1938.

Esther Brunauer is the wife of Stephen Brunauer, a Hungarian by birth. He is a scientist who has had the rank of Commander in the United States Navy and his scientific work has involved some of the topmost defense secrets which the armed forces of this country possess.

I think it is highly important that this committee immediately, in accordance with the mandate from the Senate, obtain the files of the Federal Bureau of Investigation, Naval Intelligence, and the State Department on the activities of Stephen Brunauer, the husband of this ranking official of the State Department.

I ask that the committee immediately seek to learn whether or not Stephen Brunauer has:

1. Been the subject of a constant investigation by Government agencies over a period of 10 years.
2. A close friend and collaborator of Noel Field, known Communist who recently and mysteriously disappeared behind the iron curtain.
3. He has admitted to associates that he was a member of the Communist Party.

I am reluctant to go any further into this case but I am prepared to produce competent witnesses who will testify to the importance of immediate action in this matter.

It can be readily shown that at least three Government agencies have been sifting the activities of a small group of people whose work seriously threatens the security of the country.

Certainly the Communist front activities of Mrs. Brunauer are sufficient to seriously question her security status.

Let me make it clear that I think the investigative agencies of the Government have been doing an excellent job. The thing that disturbs me is, after they have done a job, after you have matters in the files that make it unbelievable that a person could get top secret clearance, there is just no regard whatsoever paid to those reports of the investigative agencies.

So much for Brunauer.

Mr. Chairman, the next case will take about, or, I would say a least an hour and a half to complete. It is 20 of 12. Housing legislation is on the Senate floor, and I will want to be on the floor this afternoon. If the Chair wants me to, I shall start this document. I very much hate to get a third of the way through a case and then quit. If the Chair does not have any objection, instead of taking 15 minutes on this and getting in the middle of this, I would prefer starting on it tomorrow.

Senator TYRINGS. Senator, of course we will try to accommodate you, but as I told you, we would try to sit all day and give you a chance without any major interruptions at presenting your case, and I notified the committee to that extent, and we are prepared to be here.

I would suggest, if you would allow me, that we start and keep on going, and keep in touch with the floor situation. It may be that somebody is reading Washington's Farewell Address or some other important document, in which event we can keep on without the loss of time. So, if you will start, we will keep in touch with the floor, and I will notify the Clerk, and at the proper time I will notify you if the housing matter is up for serious discussion.

Senator McCARTHY. Let me suggest, then, Mr. Chairman, I don't want to be cut off in the middle of this. I would rather miss some of the housing discussion than be forced to stop in the middle of it.

Could we do this: It will take me, I assume, about an hour and a half to finish this. It will be 1 o'clock or maybe slightly after that. Could we agree to this, to notify the floor that I will have no objection to the committee sitting until 1 o'clock, and I will have to object to the committee continuing after that time, because housing legislation is up. It is something I have been working on for some time, and I must be there.

Can we have an agreement that we will not stop in the middle of this case, and let me finish it, and when I finish this case we can retire to the Senate floor.

Senator LORRE. And pick up again his afternoon?

Senator McCARTHY. No. I will have to be on the floor during the housing legislation.

Senator TYRINGS. Senator, there are a couple of aspects of this thing that make it a little difficult, much as I would like to comply with any request of yours.

The first one is that, as you know, we have asked Miss Kenyon to be here tomorrow, and she may not be ready to go on the stand. I don't know. I sent her a telegram telling her that her request to be heard would be honored promptly, and we had planned to hear her on Tuesday at 10:30 a. m. I got a reply by wire from her to the effect that she would be here Tuesday at 10:30 a. m.

Now, so far as I know, she will be here tomorrow morning. In the event, however, she should ask the committee for another day, I think we would have to probably take counsel and extend her the time that she requires to make her answer.

But if we could go on today and finish your case, it was my idea that we would immediately, notwithstanding we had not concluded the open hearings, organize our staff and take up these matters that you have suggested here and in other places, and start to outline a case.

I am trying to get, as you have yourself thought wise and I thought wise too, experienced investigators, preferably FBI men who are available, so that there will be no question about having an experienced handling of these particular files. I haven't gotten those men yet, but I am working on it and want to submit it to the whole committee before it becomes official. But if we could conclude with you today, I will sit here until 10 or 11 o'clock tonight so that we can dispose of it and get the thing moving in high gear and if there is anybody down there that is disloyal, we want to know it just as you do.

Senator McCARTHY. I might say, Mr. Chairman, that I want to cooperate with the Chair fully, but simply must be over on the floor when we are discussing housing. That is a matter I have been working on for 2 years.

Senator TYDINGS. Let's go to 1 o'clock, and talk it over then.

Senator McCARTHY. I can't very well talk it over then, because I have to notify the floor whether or not they should put in an objection to my having the committee sit. The Chair knows we can sit only by unanimous consent. If we can agree that we will finish this case and then adjourn, I will notify the floor not to object to having this committee sit.

Senator McMAHON. I want the Senator to object.

Senator TYDINGS. Let me say this, before you do that.

Senator McCarthy, I want to accommodate you as long as I can. Is the reason you would like to go over that you have not your other cases ready, or is it because of the housing legislation?

Senator McCARTHY. I have plenty of material here to take up some time, Mr. Chairman, but as I have told you, I will give the committee the forenoon, and an hour or so in the afternoon. I will do that as long as necessary, but when there is legislation up which I think is important, the Reorganization Act provides that when such a situation occurs, a Senator is entitled to be on the floor.

Here is my thought: I don't want to be caught in the middle of a case. I would like to present all of the evidence, because it is done in chronological order. I would like to have an agreement either that I can finish this case when I start, or that we adjourn now and start again tomorrow morning. I do think instead of starting at 10:30 it might be better to start at 9 in the morning.

Senator TYDINGS. Senator, it has been suggested by my colleagues to my right that if you can find it convenient to take up this case and without any interruption pursue it to a conclusion, perhaps at that time, and without penalizing you or taking any advantage of that agreement, we could again discuss it and work out something that would be mutually satisfactory to you and the committee. How does that strike you?

Senator HICKENLOOPER. Well, Mr. Chairman, if you are referring to the whispered tentative conversation which I had with you a moment ago, which I did not feel was a final commitment one way or the other and had not expected to be announced publicly—

Senator TYDINGS. I beg your pardon. I thought it was your suggestion. I merely relayed it.

Senator HICKENLOOPER. I made a suggestion of that kind, but did not expect it to be published. What I suggested was that the Senator certainly is entitled to continue a presentation of this case until he has concluded. I said to the chairman that to my knowledge, and I think to the knowledge of everybody else, the Senator from Wisconsin has been vitally interested in housing for over 2 years. I had not realized his interest until he mentioned it just a moment ago, but I can understand why he is interested in being on the floor when housing is discussed.

Senator McCARTHY. Let me say also for the Senator's benefit that the Housing Act of 1948 was drafted by the Senator from Wisconsin; the only public housing measure that was passed in 1948 was drafted by the Senator from Wisconsin, so this is one of the subjects I have

been working at, and I simply insist that I be there. I am not asking any favor from the committee in that at all.

Senator HICKENLOOPER. I further suggested, if we continue our private conversation here in public, that upon the completion of this case by the Senator, if Judge Kenyon appears and wants to go on tomorrow at 10:30, so long as she has been invited to come, and if that is convenient, that I saw no particular reason why she should not come on at 10:30 o'clock tomorrow morning and not disturb her convenience, and the Senator from Wisconsin can go on following her testimony. I am hoping to expedite this matter.

Senator TYDINGS. Suppose the Housing Act goes on all this week. You will feel the same way so long as that act is pending, won't you?

Senator McCARTHY. I will feel that I want to be on the Senate floor in the afternoon. I will give you all the time you want in the forenoon.

Senator TYDINGS. Go ahead with your case and we will work it out. We won't take advantage of you if you want to get on the floor. The Chair will vote with any group that sees that you have your chance to be on the floor while legislation in which you are interested is up.

I regret we have to postpone this, I will say to everybody, and I know you do, but there is no other way we can handle it, so if you will go ahead with this case, when we get to the end of it we will recess subject to the situation that will then be mutually agreeable.

Senator McCARTHY. I want to make sure that we have the understanding, as Senator McMahon just made the statement he is going to insist that I object on the floor. It is now understood that I can start the next case and complete it, and that we then adjourn the hearing until tomorrow or whenever you want to.

Senator TYDINGS. What is your pleasure, gentlemen?

Senator McMAHON. I reserve my vote until we see what the situation is on the floor. I am informed that some amendment to the FDIC may be up, and not the housing bill, for debate.

Senator TYDINGS. If the FDIC comes up instead of the housing bill, of course our understanding would be to continue on here.

Senator McCARTHY. Mr. Chairman, in about 10 minutes I have to decide whether or not I shall have to personally make sure that I will be available on the floor. If the Senator from Connecticut does not want to agree that when this case is finished I can go over to the Senate floor and work on this matter, I shall have to call the floor and say, "Put in my objection," which will prevent the committee sitting after 12. Otherwise I would just as soon give the committee another hour and a half's time on this case.

Senator TYDINGS. Let me see if I can summarize it in a way that we can all agree on. Senator, you want to be present if the housing bills are up. That is a must on your part, and everything will have to be shaped to that end.

Now, in the event the housing bill is not up, would you object, then, to sitting with the permission of the Senate, here, until the housing bill does come up?

Senator McCARTHY. It all depends, Mr. Chairman, on what legislation comes up.

Let me make myself clear. I am willing to give the committee the forenoon. I do have other work to do, you see. I have my own constituents to take care of, and legislation in which I am interested. I have been informed that the housing bill will be up. I think that

came direct from your majority leader's office. If we can have an agreement by the entire committee that we can adjourn after this case has been completed, then I shall not object to the committee sitting. Otherwise, if the Senator from Connecticut is going to take the arbitrary position that when I have lost that right, he is going to insist on sitting, I shall have no choice but to call the floor now and say I object to this committee sitting. I don't want to do that.

Senator TYDINGS. Unless the Chair is overruled, he will announce that if the Senator from Wisconsin desires to take up this case to conclusion, and if the housing bill is up on the floor at any time we are sitting, the committee will recess at the notice of that event until tomorrow morning at 10:30 o'clock.

Senator McCARTHY. That is not sufficient, Mr. Chairman.

Senator TYDINGS. You phrase it, Senator.

Senator McCARTHY. That when I have completed this case, if the Senate is in session that we then adjourn until tomorrow morning at such time as the Chair desires. I don't care whether it is 10, or 9:30.

Senator TYDINGS. Regardless of what is up on the floor?

Senator McCARTHY. Yes. I don't want to get into a squabble at 1:30.

Senator TYDINGS. We will proceed in that fashion, unless the Chair is overruled.

Senator GREEN. You are not canceling the appointment we made with Miss Kenyon?

Senator TYDINGS. Oh, no. Miss Kenyon will be here tomorrow morning at 10:30.

Senator McCARTHY. I don't want to interfere with Miss Kenyon at all.

Senator TYDINGS. Proceed with the next case.

Senator McCARTHY. I would like to introduce three more documents in the last case; exhibit 23, which is a photostat of the New York Times dated Thursday, March 16, 1939, which reflects that Esther Caukin Brunauer was very active in launching an organization called The American Union for Concerted Peace Efforts.

This is to point out that the American Union for Concerted Peace Efforts was cited as a Communist-front organization, the leader of which was the editor of the Daily Worker. It is to be noted from this newspaper article that Esther Brunauer served on the executive committee of the American Union for Concerted Peace Efforts.

Exhibit 24, which is another photostat of the New York Times, of December 3, 1938, a photostat which pertains to the activities of Brunauer in connection with the Committee for Concerted Peace Efforts.

I referred in my statement to the Congress of Youth, also, Mr. Chairman. I did not introduce any exhibit at that time. I am now producing that, and that will be exhibit 25.

Now, Mr. Chairman, I ask that there be accepted in evidence exhibits 26, 27, 28, 29, and 30 and 31.

Senator TYDINGS. The exhibits will be filed immediately following the case of the subjects to whom they are applicable.

Senator McCARTHY. And they are received in evidence, I assume.

Mr. Chairman, the State Department, with great frequency, utilizes the services of a large group of individuals in diverse fields as "consultants."

One of its regular performers in this field is the man I wish to discuss next. He is Owen J. Lattimore.

Lattimore was not only a consultant, but one of the principal architects of our far eastern policy. This man is one of the State Department's outstanding experts on problems dealing with the Far East and has been for a number of years.

Lattimore is currently employed as a director of the Walter Hines Page School of International Relations, located at Johns Hopkins University in Baltimore, Md. He has held numerous positions with the State Department, among them a 6-month period in 1941 as the political adviser of President Roosevelt to Generalissimo Chiang Kai-shek. He was a Deputy Director in charge of the Pacific Branch of the Office of War Information and in June of 1944 he, with John Carter Vincent, later to head the Far Eastern Bureau of the State Department, accompanied Henry Wallace on a diplomatic tour of Siberia and Free China.

Recently Lattimore completed a State Department mission to India and it is understood that he is now a consultant in the Department. I call your attention to this, Mr. Chairman, that while the State Department will tell you that he is not on the payroll as of today, the point is he is still considered by the Department as one of its top advisers and is put on and off the payroll as consultant apparently at will, and is apparently one of the top men in developing our Asiatic program.

As I say, I know when this case is published the State Department will come out and say, "This man is not on our payroll." Let me make it clear that so far as I know he has free access to the Department. I think the Chair will find upon investigation that he has a desk which is kept there for him constantly, kept for his sole benefit, and he comes in at will.

Senator HICKENLOOPER. Is it your understanding, Senator McCarthy, that Mr. Lattimore is on what might be termed the panel of consultants who are called in from time to time on a per diem basis, for a day or two or for a week or so, or for some short period of time, and after their consultation is over they retire back into private life until they are again called to consult on matters of their specialty?

Senator McCARTHY. Even much closer than that, Senator. He is the very close personal friend and adviser of those in charge of the Far Eastern Branch, and I might say that in this connection I will be glad to give the committee the names of witnesses whom they may decide to interrogate, either in public or in executive session.

Senator HICKENLOOPER. Thank you.

Senator McCARTHY. This man's record as a pro-Communist goes back many years.

I hand the committee a letter, dated December 19, 1940. That is exhibit 27, exhibit 26 being this statement itself. Again we have the familiar name of Frederick V. Field, Communist chairman of the editorial board. Equally familiar is the name of Philip J. Jaffe, managing editor of the magazine, who was indicted and convicted for having illegal possession of secret State Department documents. The committee will note that there follows a list of eight members of the board of this pro-Communist magazine. It will also observe that 50 percent of the editorial board of this magazine, whose editor was convicted of possessing State Department secret documents illegally,

have been or are now highly placed officials of the Department of State of the United States.

Their names are: T. A. Bisson, Owen Lattimore, David H. Popper, and William T. Stone.

In the June 6, 1946, issue of the Washington Times-Herald there appears an article entitled "How Come?" written by Mr. Frank C. Waldrop, editorial director of that newspaper, which will be exhibit 28.

Shortly, I shall read that article into the record, but I should like to mention in passing that of the 57 instructors in the orientation conference and training programs for personnel of the Foreign Service and the Department of State, all but three were Government officials. Those three were Dr. Edward C. Acheson, director of the School of Foreign Service and brother of the present Secretary of State; Prof. Owen Lattimore of Johns Hopkins University, and Prof. Frederick L. Schuman, of Williams College, Williamstown, Mass.

But more of this gentleman later.

When Mr. Waldrop asked "How come?" he was getting closer to a sordid picture than he imagined.

Here is what he had to say:

Herewith an item that may be of interest to Secretary of State Jimmy Byrnes who is doing his level best these days to cope with J. Stalin's bucking broncos of the Kremlin.

Whether he finds it interesting or not, he certainly could with profit ask a few questions about a project in his own shop going by the title of the "Orientation Conference and Training Programs for Personnel of the Foreign Office and the Department of State."

The writer of this piece sat in, uninvited, yesterday on one of those training projects and found it nothing more or less than an example to diplomats on how to needle a man whose back is turned—in this case Gen. Douglas MacArthur.

I might say to the committee that while I am going back a number of years, I think you must go back a number of years to develop the complete picture. [Continues reading:]

To begin at the beginning, the State Department has a Division of Training Services which has the very valuable assignment of making better diplomats of the departmental forces.

As a part of this, there are scheduled for every workday from Monday through Friday all this month, a series of lectures by supposed experts on subjects of importance in diplomacy.

Don't give up. It concerns you too, because the State Department is supposed to look out for the interests of the United States between wars and you live here.

Of 57 instructors listed to give the developing diplomats the real dope on their business, all but three are Government officials.

The three exceptions are: Dr. Edward C. Acheson, director of the School of Foreign Service at the George Washington University here and brother of Under Secretary of State Dean Acheson; Prof. Owen Lattimore, of Johns Hopkins University, Baltimore; and Prof. Frederick L. Schuman, of Williams College, Williamstown, Mass.

Lattimore is a bosom pal of Henry Wallace, the great mind of the ages now trying to decide whether he can best save the world by staying on in Truman's Cabinet to bore from within or by resigning to bore from without.

Lattimore also hangs out with other persons less well known, to an extent that ought to give J. Byrnes some pause.

Just an item: He was formerly on the editorial board of Amerasia, the pro-Soviet magazine that got caught in possession of confidential State Department documents in 1944 with the result that an editor and a State Department employee were convicted and fined.

Lattimore also has described Stalin's blood purges of 1930-30 as a "triumph for democracy," and that, friends, is just a slight sample.

He's clever, but you invariably find him in all those old familiar places when you check up. Consider his performance of yesterday.

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Most people have the impression that on the record and the evidence the welfare of the United States is better looked after in Japan with Gen. Douglas MacArthur in sole command than in Germany, where a four-cornered quarrel over the remains grows worse and worse.

To all of this, Dr. Lattimore yesterday issued an hour-long "uh-a-a-a-ah, it's lousy." His line is that the Japs have outsmarted MacArthur in that they are holding onto a "conservative" agricultural policy and occasionally rescue one of their industrialists, bankers, and so forth, from the hangman's rope.

Match that up, citizens, with what you've been hearing from Moscow, if you bother to listen. And match up with it the realization that such a thought is the best offered our State Department help us expert Inside dope on the Far East.

How come the State Department has to drag in Owen Lattimore to tell what's what in the Orient? Hasn't the Department got anybody on its own staff who knows anything?

And as for the baby lined up for June 10—that F. L. Schuman—he's all too well known around here, especially to people who have read the record of the Dies committee.

But if you don't already know what he is, you can get him completely in a flash by turning to page 582 of his latest book, Soviet Politics at Home and Abroad, wherein he states "The Russian adventure marks a long forward stride toward human mastery of man's fate * * *."

This again, Mr. Chairman, is referring to a man who is called in to lecture our diplomats. He says in his book:

The Russian adventure marks a long forward stride toward human mastery of man's fate. * * *

That is how the State Department's expert Instructor on United States-Soviet relations sums up Stalin's behavior and the almost 28 bloody years of Communist dictatorship in Russia.

No wonder State Department secret documents leak. No wonder Jimmy Byrnes goes to conferences with Molotov and comes staggering home asking who touched off the blast.

This writer plans to sit in on Schuman's June 10 performance, if it comes off, and will try to report on same in this space. That is, of course, if they don't lock the door first.

Thus we have the officials of the State Department again warned of a man who by any "yardstick of loyalty" could not possibly be a good security risk.

Mr. Lattimore himself is a prolific writer and there is no lack of material for the committee to ascertain exactly where this man stands in the political scheme of things.

The Reverend James F. Kearney, S. J., writing in the Columbia magazine of September 1949, gives more first-hand information of great value to the committee. This magazine is published by the Knights of Columbus, the most prominent order of Catholic laymen in America.

Here is what Reverend Kearney wrote:

Who or what has so vitiated the opinion of intelligent Americans on the China question?

This article was in September, 1949:

Until recently, despite the dust that has been deliberately thrown in American eyes by pink correspondents, the question could be stated so clearly and simply that grammar school students could grasp it. Having explained it to grammar school students, I know. Here it is, expressed in monosyllable words: "If the Reds win out there, we lose. If they lose, we win." Well, for all practical purposes, the Reds have now won, and in consequence we and the Chinese have lost. For communism it is the greatest triumph since the Russian revolution; for us, though few Americans yet fully realize it, it is perhaps the greatest disaster in our history; and the end is not yet. Who is responsible? It wasn't a one-man job; short-sighted Chinese officials contributed 50 percent. There are those who

believe, though, that no Americans deserve more credit for this Russian triumph and Sino-American disaster than Owen Lattimore and a small group of his followers.

Owen Lattimore, confidant of two United States Presidents, adviser to our State Department, author of 10 books about the Far East, where he has 25 years of travel and study to his credit, was born in Washington, D. C., but after a few months was taken to North China. At 12 he went to study in Switzerland, then in England, and returned to China as a newsman before taking up exploration, particularly in Manchuria and Mongolia. He then studied in Peking, first on a fellowship from the Harvard Yenching Foundation and later on a John Simon Guggenheim Memorial Foundation fellowship, knows the Chinese, Mongolian, and Russian languages well.

Returning to the United States at the outbreak of the Sino-Japanese war in 1937, a year later he became director of the Walter Lines Page School of International Relations of Johns Hopkins University, a post he still holds.

Incidentally, he has held that post, I believe, all through the time he has acted as State Department consultant.

In 1941 he was for 6 months President Roosevelt's political adviser to Generalissimo Chiang Kai-shek, then returned to the States to enter the OWI, becoming deputy director to the overseas branch in charge of Pacific operations. In June, 1944, he and J. Carter Vincent, later to head the Far Eastern Bureau of the State Department, accompanied Henry Wallace of the State Department on a diplomatic tour of Siberia and free China.

So high does Owen Lattimore stand in Washington that it is said the only two books on President Truman's desk when he announced Japan's surrender were newsman John Gunther's Inside Asia and Lattimore's Solution in Asia. Lattimore was next named special economic adviser to Edwin V. Pauley, head of the postwar economic mission to Tokyo. Though not an authority on Japan, he did not hesitate to criticize former Ambassador Joseph C. Grew's plan, adopted by MacArthur, to govern the Japanese people through the Emperor. He believed that the Emperor and all his male heirs should be interned in China and a republic set up in Japan.

In this thoroughly distinguished orientalist's career there are many disturbing features. For example, in former Red Louis Budenz' March 19, 1949, Collier's article, entitled "The Menace of Red China," we read "Most Americans, during World War II fell for the Moscow line that the Chinese Communists were not really Communists, but agrarian reformers. That is just what Moscow wanted Americans to believe. Even many native Government officials fell for it. This deception of United States officials and public was the result of a planned campaign; I helped to plan it. The No. 1 end was a Chinese coalition government in which Chiang would accept the agrarian reformers, at the insistence of the United States. We could work through legitimate Far East organizations and writers that were recognized as 'Oriental authorities.' Frederick V. Field emphasized use of the Institute of Pacific Relations. The agrarian reformers idea started from there. It took root in leading Far East cultural groups in the United States, spread to certain policymaking circles in the State Department and broke into prominent position in the American press. The Communists were successful in impressing their views on the United States State Department simply by planting articles with the proper slant in such magazines as Far Eastern Survey, Pacific Affairs and Amerasia. Both Far Eastern Survey and Pacific Affairs are publications of the Institute of Pacific Relations. This is not a Communist organization."

I might say for the benefit of Father Kearney that the California Committee on Un-American Activities cited the Institute of Pacific Relations as a Communist front organization.

Senator TYDINGS. You have been just quoting for the record Mr. Budenz' article in Collier's magazine?

Senator McCARTHY. That is correct.

Where does Mr. Lattimore come in? From 1934 to 1941 he was editor of Pacific Affairs. Freda Utley mentions him in two of her books. In her Last Chance in China she tells how Moscow, where she then worked as a Communist, was able to help its friends and discomfit its enemies in the Far East thanks to the Institute of Pacific Relations, and that Mr. Lattimore was among those Americans who came to Moscow for help and advice (p. 103).

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I may inject here, if I may, that while I have not been in touch with Freda Utley, I believe that she would be one of the valuable witnesses on whom the committee could call. She is a former Communist, apparently has completely reformed, and is apparently a very intelligent woman.

Senator TYDINGS. Is she the Polish lady who went in there and came back and became an American citizen?

Senator McCARTHY. I don't know her national background.

Senator TYDINGS. I have them mixed up, I suppose.

Senator McCARTHY (continues reading):

In her *Last Illusion* (p. 104) she refers to the same 1936 Moscow meeting: "The whole staff of our Pacific Ocean cabinet had an all-day session at the Institute with E. C. Carter, Owen Lattimore, and Harriet Moore, leading lights of the Institute of Pacific Relations."

Understand, I am now quoting from a person who apparently sat in tight with the Communists at that time.

"I was a little surprised at the time that these Americans should defer so often and so completely to the Russian viewpoint. Owen Lattimore found it difficult at first to submit to the discipline required of the Friends of the Soviet Union. He told me a few months later in London how he had almost lost his position as editor of *Pacific Affairs* because he had published an article by the Trotskyist Harold Isaacs. In later years in the United States it did not astonish me to find the Institute of Pacific Relations following the same general lines as the *Daily Worker* in regard to China and Japan."

Henry Wallace never claimed to be an expert on the Far East. How much, if any, of his report after returning from the Siberia-China visit was written or suggested by the oriental expert, Mr. Lattimore, I do not know. One thing emerges, however: After their return, the American policy which has proved so disastrous for both Chinese and American interests and so helpful to Russia was put into effect and is still being pursued. Lattimore's solution in Asia was described by one reviewer as "an appeal to Chiang Kai-shek to free himself from the galling yoke (of the Kuomintang) and to set free the democratic forces which have proved effective in northwestern China," for example, the Chinese Reds. That book is again referred to in an article by ex-Communist Max Eastman and J. B. Powell in a June, 1945, Reader's Digest article, *The Fate of the World Is at Stake in China*, wherein they blast the deception that Russia is a democracy and that the Chinese can therefore safely be left to Russian influence. Owen Lattimore is perhaps the most subtle evangelist of this erroneous conception.

Mr. Lattimore praised the net result of the Moscow trials and the blood purge by which Stalin secured his dictatorship in 1936-39 as a triumph for democracy. He now urges our Government, in *Solution in Asia*, to accept cheerfully the spread of the Soviet form of democracy in Central Asia. His publishers thus indicate the drift of his book: "He (Mr. Lattimore) shows that all the Asiatic peoples are more interested in actual democratic practices, such as the ones they can see in action across the Russian border, than they are in the fine theories of Anglo-Saxon democracies which come coupled with ruthless imperialism." Does that sound as if Mr. Lattimore, a top adviser on our Far Eastern affairs, is on our team?

The same article continues with a prophecy which has just about come true: "If Russian dictatorship spreads its tentacles across China the cause of democracy (for example, United States style) in Asia is lost. As is well known, these tentacles need not include invading Soviet troops, but only the native Communist Parties now giving allegiance to the Soviet Union and taking their directives from Moscow. When these Communist Parties get control of a neighboring state the Moscow dictatorship and its fellow travelers call that a friendly government. It is by means of these Communist-controlled friendly governments—not by Soviet military conquest—that Russian power and totalitarian tyranny is spreading from the Soviet Union, in Asia as in Europe."

That is perhaps good background for the current slogan of Mr. Lattimore and his loyal followers, Edgar Snow, Ted White, Richard Lauterbach, Harvard's Fairbank, and many an ex-OWI man, that there's nothing much for America to worry about because Mao Tse-tung's communism is a nationalist movement.

A moment's reflection should make it clear that the very last thing a real Chinese nationalist would do would be to swallow hook, line, and sinker the doctrine of Karl Marx, a German Jew, who besides being a foreigner has a system that goes counter to every Chinese instinct and every tradition in the Chinese concept of society.

This recalls an incident a Belgian priest related to me in Shanghai a year and a half ago. He had become a Chinese citizen, and when the Chinese Reds occupied his church in North China they followed the usual custom (which is probably new to Mr. Lattimore) of putting up the pictures of Marx and Stalin in the place of honor above the high altar, with those of Mao Tse-tung and Chu Teh below. A Chinese Red then told the priest flatly, "We are going to get rid of absolutely all foreign influence in China. Our policy is China for the Chinese." I can imagine Mr. Lattimore saying, "Just what I told you." But the Belgian-Chinese replied, "And those two foreign gentlemen up there, Marx and Stalin? When did they become Chinese citizens?" The Red slunk silently away.

If anyone is still puzzled by the contention that the Chinese Marxists are primarily nationalists, a glance at the Communist manifesto will clear matters up. Though not in substance, yet in form, we read there: "The struggle of the proletariat with the bourgeoisie is at first a national struggle. The proletariat of each country must, of course, first of all settle matters with its own bourgeoisie." That, I believe, shows us what is back of the present national slogan our United States planks apply to China's Reds. It's not authentic nationalism, of course, as the manifesto explains later: "The Communists are reproached with desiring to abolish countries and nationality. The working men have no country. We cannot take from them what they have not got."

The spurious nature of the nationalism of Mao Tse-tung was admitted by Mr. Lattimore himself, perhaps unintentionally, in a tape-recorded speech he gave in San Francisco, December 7, 1948: "The Chinese Communists never made any bones about the fact that they are Marxists. They are Marxist Communists in their international relations. They never question the Russian line. They follow every twist and turn of it." That is an important admission by Mr. Lattimore, since so many of his followers have been trying to tell us there is no Moscow control over China's Reds. If they follow every twist and turn of the Moscow line they are evidently not Chinese nationalists as we understand the term, but pseudo nationalists.

A. T. Steele and Andrew Roth of the New York Herald Tribune and the Nation, respectively, after getting out of Red Peking recently, declared that the Chinese Red leaders are in every sense of the word Communists who stand squarely and faithfully for the Moscow party line, and will join the Kremlin in the coming World War III against the imperialist powers, particularly America. They likewise agree that while Mao might possibly become an extreme nationalist at some future date, another Tito, there is absolutely no evidence that this is a factor to be seriously reckoned with for a long time, Mr. Lattimore to the contrary notwithstanding. Spencer Moosa, latest newsmen out of Peking, confirms their statements. The very first movie put on by the Reds in the auditorium of the Catholic University in Peking after they moved in this year was the Life of Stalin. Need we say it was not anti-Russian? And so, instance after instance shows the very close connection between Moscow and Chinese communism that has been witnessed throughout the last 28 years by intelligent observers who have lived in Red China—where Mr. Lattimore has never lived.

To the average American, whom the Red propaganda is intended to victimize, it seems quite natural that Mao Tse-tung a native of China who has never visited Moscow, should think first of China's instead of Russia's interests. Yet how many native-born Americans are there who, once they join the party, think nothing of selling out their country and its secrets to the Kremlin? Such is the strange mesmerism exercised by their Moscow masters. It is, then, no harder to understand Mao's utter devotion to the party line than it is to understand that of Foster, or Dennis, or Earl Browder. After all, remember, a real Communist has no country. And surely Mao has proved he is a 100-percent Communist. Let's not be deceived any longer, then, by this fake nationalism of China's Reds, which is the central thesis of Mr. Lattimore's recent book, *The Situation in Asia*.

If a man who had written 10 volumes about Africa, and thereby won a name for himself as an authority, should nevertheless maintain that the Negroes in Africa aren't really black but white, it would be a cause for wonder. Mr. Owen Lattimore, who has written 10 books on Asia and is called the best informed American on Asiatic affairs living today is doubtless well-informed on many

As little matters but unfortunately, if we are to take his written words as an index of his knowledge of China's Reds, he is very badly misinformed about the true color of that most important body of individuals and their whole way of acting. Which reminds me of a recent conversation with one of Mr. Lattimore's OWI boys who had just returned from a 3 years' correspondent assignment in China. I asked him why it was that practically all of our foreign newsmen, though supposedly educated in the American tradition of fair play, spoke entirely of corruption in the Chung regime but said nothing about the corruption in the Mao regime. And this man, who was being paid for giving his American readers an honest picture of conditions in the vital Far East, answered, "Because there is no corruption in the Red regime." I laughed at him for wasting his 3 years in the Orient and passed him an article showing that not only is the Red regime corrupt, but from every conceivable American standpoint it is conservatively 10 times more corrupt than its current opposite number.

It is probably of such men that Mr. Lattimore, in his book Situation in China (p. 277) writes: "Hitherto American observers who have been acutely conscious of secret police activities in Kuomintang, China, have had nothing comparable to report from Communist China." The reason is that these official observers were allowed the freedom to observe the limited activities of KMT secret police, while they aren't even permitted to enter Red China. Had they wished, though, they could have learned a lot from people, some of them Americans, who had lived in Red China. They would have heard, for instance, about the T'ing chung hui, or eavesdropper corps, who, after killing off all watchdogs, creep up at night, next to the wall or on the flat roofs of North China homes, to hear what is being said inside the family about the Communists. Children are rewarded for spying on their parents and, if anyone is believed to be guilty of anti-Communist remarks, a terror gang swoops down at midnight and the chances are the unfortunate victim will be discovered next morning buried alive outside his home. This sort of secret police and terrorism combined has been so universal in Red China that Mr. Lattimore doesn't know about it he knows extremely little of Chinese communism.

As far back as 1945 the predominant sentiment everywhere in Red areas was fear, universal fear, fear at every instant, according to an official report of a Frenchman, a former university professor from Tientsin who spent the years from 1941 to 1945 in Red territory, and had been hauled before both Japanese and Red tribunals. "It is not terror," he says, "for terror is a fear which shows itself exteriorly. Here one must not allow his fear to be seen; he must appear satisfied and approve everything that is said and done. It is a hidden fear, but a creeping, paralysing fear. The people keep quiet. They do not criticize; they avoid passing out any news. They are afraid of their neighbor, who may denounce them. They are afraid of the Reds who might hear and imprison them. When the Reds impose a tax, it is paid without a word. If they requisition anyone for public work, the work is done carefully and rapidly, without need of any blows and curses as in the time of the Japanese, and wonderful to say, without any need of supervision. (This is amazing to anyone who knows the easy-going Chinese character.) I have witnessed groups of workers along the big highways built by the Japanese, doing exactly the same kind of work they did for the Japanese, but how different their attitude. There was no foreman there to supervise, and yet everything was done carefully, with hardly a word, without the least bit of joking." Mr. Lattimore, with his lack of background, might interpret this as a sign of enthusiasm for the Red masters. But the report states simply, "They were afraid."

What was true in 1945 in Red areas is also true today according to the very latest 1949 reports that have filtered through the bamboo curtain: "There isn't too much suffering from hunger in the city, but it is impossible to lay up any reserves. The Communists search every house methodically and confiscate any surplus. Anyone who complains or criticizes them disappears mysteriously, buried alive, it is said. No one dares say a word, even to his best friend. In the country districts conditions are terrible. The Reds take everything; grain, livestock, clothing, tools, and now all are being mobilized for army service. Famine reigns everywhere together with fear. The people endure this with clenched teeth, but when asked how things are going always answer, 'Everything is going well!'" They had better!

These reports come from reliable people who were there and know what they are talking about, and who ridicule the fairy tales Mr. Lattimore from his distant and comfortable chair in Johns Hopkins spins for eager young Americans who believe he is an authority on China's Reds. What, for example, could be further

from the truth than this statement in the Situation in China, page 100: "In China it may be conceded" (not by anyone who knows the situation, though, if I may interrupt) "that the Communists hold the confidence of the people to such an extent that they can probably do more by persuasion, with less resort to coercion, than any previous revolutionaries in history. But the Communists cannot indulge in experiments which the people do not accept, because the armed and organized peasants would be able to resist them just as they have hitherto resisted the return of the landlords." Sheer nonsense! The only real landlords left in Red areas are the Red leaders themselves, and the people know enough not to try to resist these ruthless masters. For some reason, no one seems to relish being buried alive; and so the Communists can indulge in absolutely any experiment they choose without the slightest open resistance from the peasants, who are merely awaiting patiently for better days.

Since Mr. Lattimore is patently in error on so many vital points connected with the China Red question, it becomes more and more strange that his advice on Red China should be followed almost slavishly by the United States State Department. It has already brought China to disaster and may, if we continue to follow it, also ruin America. It might be well to consider what advice he has given for future United States policy so we shall know what a new Iliany of Lattimore disasters awaits us.

He has a chapter on Japan in his Situation in Asia and, although he admits General MacArthur is a first-class administrator, he dislikes his "fatherly mysticism" and "old-line Republicanism", hints it would have been wiser to give the Russians more say, considers the present policy as pseudo-realistic and bound to fail. "It's likely to blow up in our faces, like a humiliating stink bomb," damaging MacArthur's reputation in the end. He doesn't like keeping the Emperor, nor the type of democracy MacArthur is giving, apparently preferring for Japan the totalitarian type Mao Tse-tung is employing in China. Mr. Lattimore doesn't like to see Japan make a bulwark against Russian expansion, and believes that since she is possessed of the most advanced technical and managerial know-how in Asia she will eventually make her own terms with both Russia and China, without consulting the United States.

"The Japanese, watching America's failure to control the situation in China through the Kuomintang, have been giggling in their kimono sleeves. In a queer way it has helped to restore their self-respect for their own failure on the continent." He sees no future for Japan apart from the future of Asia, since she needs the iron and coal of Manchuria and the markets of China.

In this he is probably right; that is why it was always to America's vital interest to see that the open door policy and the territorial integrity of China were preserved, though this adviser to our State Department did not think them very important. He considers east Asia now definitely out of control by either Russia or America, stating that it forms a group of "third countries" which seem to resemble Nippon's ill-fated "East Asia co-prosperity sphere." He believes Japan, then, will come to terms both with Communist Russia and Communist China, and will end by being more anti-American than anti-Russian. If we had only adopted his plan for a Japanese democracy right after the war, what a deal of trouble we would have saved!

What, now, are his plans for the mainland? He has long been in favor of a Chung coalition with the Reds, and blames our 80th Congress for spoiling that. The result is now Communist control—which of course would have eventuated just as well had his original coalition idea gone through. We mustn't lay down our own conditions for dealing with a Red China, he says, or we shall spoil our favorable position with the Chinese. Has he never heard how Mao's Reds detest Americans, and hold half a dozen United States consuls under house arrest? "We must at all costs avoid the appearance of wanting to punish the Chinese people for having a government which we didn't approve for them in advance." As if the Chinese were really anxious for a puppet Red regime. We must not support any rump government, for that would be dividing China. We must extend credits to poor Red China and help build it up by trade and American engineering know-how as "Ford Motors and General Electric did in Russia in the period between wars." But let's not lay down any conditions for our aid, by insisting that Red China be hostile to Red Russia.

And if all that isn't enough to make Uncle Sam suspect that Owen Lattimore is making a fool out of him in the interests of world communism, the expert goes much further: "The new government of China will claim China's Big Five position in the United Nations, including the right of veto. By the use of our own veto we could delay China in moving into this position," but of course it

would be unfair to deprive Russia of another vote, especially since Russia has had nothing whatsoever to do with imposing communism on China! See now why the pinkers are so strong on their insistence that the Red movement in China is purely nationalistic? And another vote for Mother Russia?

Let's take Outer Mongolia, that voted unanimously to be annexed to Russia in 1945—each voter being required to sign his name on his ballot. "Mongolia," he says, "is between a Communist-ruled Russia and a Communist-controlled China. It would be an advantage to American policy to be able to emphasize that there is a country occupying 800,000 square miles of territory * * * inhabited by people who are neither Chinese nor Russians. It is impossible to make use of this advantage unless the separation of Outer Mongolia is emphasized by membership in the United Nations * * *. It is true that Mongolia as a member of the United Nations would mean another vote for Russia; but would this be a greater disadvantage than our present complete lack of access to this key country between China and Russia?" (p. 226).

Yes, Mr. Lattimore, it would. Considering that the whole United States had but one vote in the United Nations while Russia started out with three, it is simply wonderful of Owen Lattimore to give a couple more Far East satellite votes to our cold war enemy. Since he is one of the chief advisers to our Far Eastern State Department Bureau, is it any wonder that disaster has been piled on disaster in Asia for Americans while world communism engages in frenzied applause? If Mr. Lattimore is permitted to turn over one far eastern vote after another to Russia, Moscow will soon dominate the United Nations, and then can safely discard the veto. Why should one man, whose writings show he has no knowledge of the character of China's Reds, be allowed to go on unchallenged promoting chaos and ruining Christianity in Asia? True, he doesn't say he wants a Red Asia; but the publisher of his Situation in Asia indicates his intentions when on the jacket of the book they print a map of Lattimore's Asia, including Japan, Sakhalin, all of China, the Philippines, the Dutch East Indies, Siam, Burma, Malaya, and India, in nice Soviet Red.

That is the end of the quotation of Father Kearney.

It is uncanny how these State Department policy makers are drawn together time after time in an organization or group or project of pro-Soviet nature.

I now hand the committee a booklet setting forth the officers and trustees of the Institute of Pacific Relations. It will be noted that Mr. Lattimore is a trustee. It will be also noted from the book I previously handed the Chair that this institute is listed as either subversive or Communist front by the California Un-American Activities Committee.

Senator TYDINGS. Where are the headquarters of the Institute of Pacific Relations?

Senator McCARTHY. One East Fifty-fourth Street, New York City 22, and my exhibit 29, Mr. Chairman, reads: "The officers and trustees of the Institute of Pacific Relations invite you to become a member of its American Council." This contains the name of our own Owen Lattimore. It will be filed in the record.

The familiar pattern starts again with Messrs. Lattimore, Hanson, Bisson, and Jessup.

In the Institute of Pacific Relations we have such pro-Communists as Frederick Vanderbilt Field, Philip Jaffe, Kate L. Mitchell, Andrew Roth, and Nym Wales. Incidentally, I might mention that Nym Wales, which is not her actual name, was the coeditor with Mr. Hanson in the magazine he was running in Peiping at the time the Japanese-Chinese war broke out.

The Attorney General of the United States has declared the American Peace Mobilization to be a subversive organization and the House Un-American Activities Committee has placed the same stamp of infamy on the Washington Committee for Aid to China.

The American Peace Mobilization was short-lived. It existed during the days of the Stalin-Hitler pact and was liquidated by the Communists on the very day that Hitler invaded the Soviet Union.

Frederick Vanderbilt Field, one of the country's top Communists, was executive secretary of the American Peace Mobilization on Tuesday evening, February 11, 1941, also.

On that date, the Washington Committee for Aid to China, held a meeting at Sixteenth and O Streets NW., Washington.

At the time this meeting was held, President Roosevelt was under the most savage attack of his career by Frederick Vanderbilt Field and his American Peace Mobilization. That was when the Stalin-Hitler pact still existed. That was when they were calling Roosevelt a warmonger in no uncertain terms.

The Senators may recall that this was the occasion when the American Peace Mobilization organized and carried out a 24-hour picket line around the White House. The pickets carried placards denouncing Roosevelt as a warmongering tool of Wall Street. That was while the Hitler-Stalin pact existed.

On June 21, 1941, the American Peace Mobilization pickets were still surrounding the White House. When Hitler invaded the Soviet Union on the morning of June 22, the pickets were withdrawn within an hour. The party line had changed in a matter of minutes and the American Peace Mobilization then became the American People's Mobilization, urging the immediate entrance of the United States into the war.

Again, associated with Frederick Vanderbilt Field, we have Owen Lattimore as the principal speaker at the above meeting on the evening of February 11, 1941, with only two other speakers. One of them was Frederick Vanderbilt Field.

Here again we have the old familiar pattern of a member of the important policy-making group of the State Department collaborating with known Communists under the sponsorship of organizations officially declared subversive.

I want to again direct the committee's particular attention to the fact that while Owen Lattimore was with Frederick Vanderbilt Field, this was the same Field who, on the 22d day of June, the day after Hitler invaded Russia, promptly changed his line of attack, the same great and good friend of Owen Lattimore.

Senator TYDINGS. While you are taking a little breath, I would just like to take this opportunity to announce to the press that these exhibits will be available in the keeping of the reporter immediately after the conclusion of Senator McCarthy's testimony, because you will want to see all of the names on here. I see Mr. Henry Luce's name as one of the vice presidents of this organization.

Senator HICKENLOOPER. Mr. Chairman, I may suggest that there are a number of other names on there that are probably completely on the other side of the fence from Mr. Henry Luce, and I think it is unfair for the chairman or anyone else to pick and choose two or three names of respectable citizens who are on these lists and not call attention to a number of the Communists' names.

Senator TYDINGS. They were already pointed out by the witness. I just wanted to point out one on the other side, not three or four.

Senator McCARTHY. I might say that the other day as I handed

in the exhibits, as the Chair will recall, I was naming the outstanding Communists whose names appeared on exhibit after exhibit. The Chair objected to that and said he would have to name the respectable people who are named on a few of them. For that reason the Chair will note that I have refrained from naming all the well-known Communists who appear on exhibit after exhibit, and I hope I have made it clear in the past that one of the reasons why the Attorney General, the House committee, the California committee, and various other committees, have considered these front organizations so dangerous is that from time to time they have succeeded in getting respectable peoples' names on them. That is what has made them dangerous.

Senator TYDINGS. I was of the impression, Senator McCarthy, that you had read some supporting names. I might have been in error. That is on page 1-A, where you say:

In the Institute of Pacific Relations, we have such pro-Communists as: Frederick Vanderbilt Field, Philip Jaffe, Kate L. Mitchell, Andrew Roth, Nym Wales,

Senator McCARTHY. The Chair is correct.

Senator TYDINGS. Following out Senator Hickenlooper's suggestion, the Chair will read the rest of these names. I do not know a great many of the people, but I will read their names. These are the officers and trustees of the Institute of Pacific Relations: First, officers and board of trustees, American Council: Robert G. Sproul, chairman; Edward C. Carter, executive vice chairman; Joseph P. Chamberlain, Mortimer Graves, Henry W. Luce, Ray Lyman Wilbur, vice chairmen.

Ray Lyman Wilbur was either a Secretary in the Hoover Cabinet or is the head of one of the universities in California, I don't know which.

Brooks Emeny, treasurer; Tillie G. Shahn, assistant treasurer; and Lawrence Morris, secretary.

The members of the board of trustees are Edward W. Allen, Raymond B. Allen, Christian Arndt, Paul S. Bachman, Eugene E. Barnett, Pearl S. Buck, George Cameron, Edward C. Carter, Joseph P. Chamberlain, Allan E. Charles, Lauchlin Currie, John L. Curtis, Joseph S. Davis, A. L. Dean, Arthur Dean, Len De Caux, Dorothy Douglas, Brooks Emeny, Frederick V. Field, Henry Field, Galen M. Fisher.

Also G. W. Fisher, Charles K. Gamble, Clarence E. Gauss, Mrs. Frank Gerbode, Huntington Gilchrist, A. J. Gock, Carrington Goodrich, Henry F. Grady, Mortimer Graves, Admiral John W. Greenblade, William R. Herod, John Hersey, the writer; Paul G. Hoffman, William C. Johnstone, Owen Lattimore, Charles F. Loomis, Henry R. Luce, publisher of Life, Time, and Fortune magazines; Charles E. Martin, Mrs. Alfred McLaughlin, Abbot Low Moffat, Harriet L. Moore, George Abbot Morison, Lawrence Morris, A. W. Robertson.

Also Chester Rowell, Robert G. Sproul, G. Nye Steiger, Donald Straus, George Taylor, Juan Trippe, president of Pan American Air Lines; Henry A. Wallace, Louis Weiss, Sumner Welles, Lynn White, Jr., Brayton Wilbur, Ray Lyman Wilbur, Herbert J. Wood, and Mrs. Louise L. Wright.

The witness will proceed.

Senator McCARTHY. I now hand you, Mr. Chairman, exhibit 30, entitled "National Emergency Conference for Democratic Rights." On April 21, 1943, the House Committee on Appropriations issued a report citing this organization as "subversive and un-American." On March 29, the House Special Committee on Un-American Activities cited it as a Communist front.

On September 2, 1947, on page 12 of its Report No. 1115, the congressional Committee on Un-American Activities said:

It will be remembered that during the days of the infamous Soviet-Nazi pact the Communists built a protective organization known as the National Emergency Conference for Democratic Rights, which culminated in the National Federation for Constitutional Liberties.

In its 1948 report, on pages 112 and 327 the California Committee on Un-American Activities, after citing it as a Communist-front organization, defending Communists, had this to say:

After the dissolution of the American League for Peace and Democracy in February 1940, the Communist Party frantically organized a new series of front organizations. The National Emergency Conference for Democratic Rights was one of the new fronts and it was filled from top to bottom with veteran Communist Party-liners.

The Maryland Association for Democratic Rights was an affiliate of the National Emergency Conference for Democratic Rights. At a conference of this organization in Baltimore early in 1944, we have as sponsors Mr. Owen Lattimore and his wife.

I might say I for one believe, and I think the committee will agree with me after they have gone into this in detail, that Owen Lattimore was not a dupe who joined these Communist-front organizations by mistake. He was one of the allegedly respectable men who got some actually respectable names on this list.

Senator TYDINGS. Senator, allow me to interrupt you a moment. I don't know a lot of these people in this Baltimore chapter. Some of them I do know. Some of them I know very slightly; some of them I don't know at all.

I am not going to read the list in the record, but I would like, inasmuch as the chairman is from Maryland, to notify any Maryland papers or press services that are going to circulate in Maryland that a copy of all these names is available here at the head table if they want it.

Thank you, Senator.

Senator McCARTHY. I might say most likely the ones the Senator knows are the good, outstanding people.

Senator TYDINGS. The ones that I see there are the ones that have opposed me pretty generally in a good many elections. I don't mean all of them, but I recognize some of them.

Senator McCARTHY. We will consider that as proof that they were wrong.

I assume that Mr. Lattimore, a high State Department official, undoubtedly did get some fine Baltimore people to associate their names with that. He must have known that a year previous to that time this was declared a subversive, Communist-front organization. Most likely any Baltimore people who are on that, whose names are on that paper, did not know that that organization had been declared subversive a year before.

Senator TYDINGS. There are some names on there that I recognize, that I am sure he would exculpate from any desire to be in any disloyal organization. There are some others that I do not know, but I recognize three or four representative names.

Senator McCARTHY. Thank you, sir.

Once again we have a policy-making State Department attaché collaborating with those who have sworn to destroy the Nation by force and violence.

I find it impossible to visualize this sort of a good security risk under yardstick of loyalty outlined by Secretary of State Acheson.

I hand the committee an exhibit of the Writers' Congress of 1943. This will be exhibit No. 31.

On December 4, 1947, and on September 21, 1948, the then Attorney General Tom Clark in letters to the Loyalty Review Board, cited the Hollywood Writers' Mobilization as subversive and communistic. In its 1945 report on page 130, the California Committee on Un-American Affairs described this organization as one "whose true purpose" was "the creation of a clearing house for Communist propaganda."

On October 1, 2, and 3 of 1943, the Writers' Congress and the Hollywood Writers' Mobilization held a meeting on the University of California-LA campus in Westwood. Appearing as the representative of the Office of War Information was Mr. Owen Lattimore.

Here again we have Mr. Lattimore involved as a principal in an organization declared un-American by the Attorney General of the United States.

In the magazine, *Pacific Affairs*, of September 1938, Owen Lattimore described the Moscow purge trials as a "triumph for Democracy."

In his book, entitled "Solution in Asia," Owen Lattimore declares that among the people of Asia, the Soviet Union has "a great power of attraction—it stands for democracy."

Let me repeat that. Here is the man shaping our Asiatic policy. He said this in his own book. No one else has said this for him. Owen Lattimore has said, in his book entitled "Solution in Asia," "that among the people of Asia, the Soviet Union has a great power of attraction—it stands for democracy."

I submit that the background of Mr. Lattimore, his close collaboration and affiliation with numerous Communist organizations; his friendship and close cooperation with pro-Communist individuals, leaves absolutely no doubt that he is an extremely bad security risk under Secretary of State Acheson's yardstick of loyalty or under any other yardstick you could apply, and in fact, his wide knowledge of far eastern affairs and his affinity for the Soviet cause in that area might well have already done this Nation incalculable and irreparable harm.

So much for Mr. Lattimore.

Now, Mr. Chairman, I shall be prepared to give the committee whatever additional information I can at such other meeting as the Chair decides to call me. I might say that in view of the fact that the Chair said that Judge Kenyon might or might not be here tomorrow, I would appreciate it very much to know at the earliest possible time whether he wants me to appear tomorrow, and if so, at what time. I can't be called at the last minute and asked to come up here, because it does take a tremendous amount of night and day work for me to get these cases in shape.

Senator TYDINGS. I would say to Senator McCarthy that the matter up before the Senate is not the housing bill but the FDIC. You have been under right much of a strain there to read for an hour and a half or so. I think it would be very wise, with your approval, as the housing bill is not on the floor today, if we were to take a recess, which is at 1 o'clock, and come back, let us say, at half past two, which would give the Senator time to eat and get his next case in order.

Would that be satisfactory?

Senator McCARTHY. I understood, Mr. Chairman, the agreement was that we would recess when we got through, and I simply am going to have to insist that I cannot spend all morning and all afternoon on these cases. It takes me a long time to get them in shape. I have been working just about around the clock getting these cases in shape for the committee, and I cannot work night and day only in preparation for the committee. I will come before the committee every forenoon. I just simply cannot spend every forenoon and afternoon here. There is a great wealth of material to be gone over.

I might say this. Originally I had planned on coming here today and giving the committee all of the information which I personally had assembled in chronological order. I felt that the information that I have given in the Congressional Record from the secret files would be sufficient to show that a sizeable number of individuals are bad security risks, and that the committee would develop all of those cases.

However, when I mentioned that to one of the newspaper men the other day, the State Department heard it and promptly there was a tremendous amount of screaming on the air and in the press that McCarthy wasn't presenting all of his cases.

In view of that I am going to try and give the committee all conceivable details of those cases. That is a hard job. I will bring that up to date as I possibly can.

Let me say this also. I think we have an unusual situation developing, an unusual campaign over in the State Department. It seems that whenever Dean Acheson wants to do any name calling or issue any press releases it is done in the name of a very likeable and fine young fellow, a harmless young man by the name of Peurifoy. It is a clever attempt to shift on to Peurifoy the blame for Acheson's activities. We all know that Mr. Peurifoy has no more power to discharge a man like Hanson or Lattimore than the President's aide has to discharge the President, and I just hope very soon the Secretary of State has enough guts to stand up and say "This is my baby; I will take the blame for the sort of situation that has been disclosed" and quit shoving the blame on to the shoulders of a very fine young man who must do as he is told.

Senator TYDINGS. I did not interrupt you, but that has nothing to do with the evidence before this committee. Our job is to hear evidence that has to do with disloyalty in the State Department and other branches of the Government where State Department employees have gone.

You have given us an outline of 81 cases. It is the policy of the chairman, I am sure, supported unanimously by the committee, that we will get those files, and we hope to organize this week and start work on them. If you have anything you wish to add to your testimony on the floor of the Senate, we will be very glad to have it, or any other cases you may have that you want to present.

When I talked to you on Friday, you told me that you thought you could finish the presentation of your case today, if you were not interrupted, in about 4 or 5 hours. You told Senator Lodge that, and I so announced it to the press.

We have made our arrangements to sit today, this afternoon or tonight, if possible, to give you the opportunity that you wanted, and we have made our arrangements accordingly. I think if you could help us by coming back at 2:30, so long as the situation on the Senate floor did not require you to go, it would be better if we could finish this afternoon, rather than have a night session. That will not preclude you, of course, from giving us additional information. We simply wanted to get the files of what we are to investigate pretty clear before we turned it over to the staff which we will shortly name, in more or less one piece, rather than to string it out so we could set up an over-all system to check and cross check at the very beginning. You can appreciate that that would be the thorough way to do it.

Senator McCARTHY. I think the chairman has a very commendable idea. I might say, however, that as I said before, this is not the only task I have, presenting this evidence. "I have a State and a lot of people in that State. I have to take care of their interests also. I have been working almost 24 hours a day getting these cases in shape. I simply cannot work all morning and all afternoon before this committee. The most I can do is to give the committee half a day of my time, and I will be glad to do that on any day. I will be glad to present these cases, and I think they are of sufficient import so that the committee will want to hear them. If not, that is entirely up to the committee.

Senator HICKENLOOPER. I strenuously object and do object to night sessions. I reserved that right the other day. I am not going to sit in night sessions if I can help it.

Senator TYDINGS. Senator McCarthy, could you come back at 2:30 or 3 o'clock with more material, today?

Senator McCARTHY. I have told the Chair that I will give the committee my mornings. I just can't give them all day. I don't want to appear arbitrary, but this has been a tremendous task. My office staff is almost on the verge of quitting. I have been working them all night. I worked them all day Sunday and all Sunday night. I must have time to get this material in shape.

As I say, I had originally planned on giving the committee the material principally from the Congressional Record on many of these individuals, giving them all of the leads. However, I find that the Secretary of State is demanding that I personally give the committee more. I think maybe he is right in this case, so I will give the committee more stuff. I will give them cases that are more fully developed outside of the secret files.

I might say that in the Hanson case you have a complete case without any files at all. I think the files will be of interest to you.

In the Brunauer case, I do sincerely hope the committee takes that case immediately and goes into it and gets the files. There is plenty of work for the committee to start on. They need not wait until I present more cases. If no other case were presented except the Brunauer case and if she is gotten out of this top-secret position, it

would justify the committee's existence, it would justify the spending of all the money the Senate has authorized the committee to spend.

Senator TYDINGS. It hasn't authorized any, yet.

Senator McCARTHY. Let's start on that one.

Senator TYDINGS. I would like to say that the committee hasn't had a dollar put at its disposal yet. There has been no authorization, but I am hoping that today we will get some money.

Senator, the chairman of the committee is certainly not going to press you. You are carrying a heavy burden. We are all carrying a heavy burden, too. I haven't been in my office to do any work now for 4 or 5 or 6 days, and I have a bunch of people down there who are after me, almost beside themselves, to get some decisions, and that is the reason I tried to get the thing under way today and hoped we could have concluded, but if you are not ready there is no reason why you should not have a fair chance to produce it. It would help us all to plan our lives if we could know about what you estimate—we are not going to hold you to it—the additional time that you will require to present the matter that you have in mind.

Senator McCARTHY. I want the Chair to know that I am not trying to evade giving him an estimate, but let me say this. It will be extremely difficult to estimate. I have in my office now letters from people, some of them having good information, some of them the typical crackpot letters which one gets, giving information and tips in a vast number of these cases. I find that some of them develop unusually fast. In fact, much of the material that I am presenting tomorrow morning frankly was not in my hands the day I spoke on the Senate floor. When I say "tomorrow," I mean the next day you can hear me.

The information that I have presently developed, the cases that I am ready to start on tomorrow or the next day, whenever I am called, those cases will still take, I think, more than the 5 hours which I mentioned to the Chair last Friday. The Chair was not misquoting me. I did tell the Chair that I thought I could get rid of all these cases in 5 hours without any interruptions.

I frankly don't know, Mr. Chairman. I think it will take another, oh, at least 2 or 3 days, spending the entire forenoon without interruptions—I mean without any unnecessary interruptions.

Senator TYDINGS. That gives us some line on it. Then I take it it is the Senator's position that he does not want to go on any more today.

Senator McCARTHY. Mr. Chairman, I would like to have this understanding, that I will not be asked to spend any afternoons or evenings on this. I think if I give the committee my mornings, then I should have the afternoons and evenings for my own work and to further develop these cases.

Senator TYDINGS. We will try to conform to the Senator's wish.

Might I ask him if he would object to meeting earlier than we have been meeting, so we could get more in?

Senator McCARTHY. No objection at all, Mr. Chairman. I might say, when I suggested 9 o'clock, I heard a great protest from all of the members of the press.

Senator TYDINGS. I think the committee would like to get half an hour in the office before they come up here, but we will just have to make up our minds to put up with some inconvenience, all of us.

I am going to say to the Senator I have not talked with Miss Kenyon. I presume she will want to go on tomorrow. If she isn't ready to go on tomorrow, then the Senator, I take it, would be ready to start again tomorrow.

Senator McCARTHY. That is correct.

Senator HICKENLOOPER. I understood she sent word to the Chairman she would be here to go on.

Senator TYDINGS. That is right, but that was last week, in response to a pretty quick telegram. I haven't seen her and haven't communicated with her and have had no word directly or indirectly from her. If she wants to take another day, I think we ought to give it to her. She was not here to hear the charges. She has to read them and become up-to-date on them, and so on.

But, without objection, we will take a recess until 9:30 o'clock tomorrow morning, at which time I will ask Senator McCarthy to be ready to go on with his testimony.

Senator McCARTHY. Wait, Mr. Chairman: I would like to know definitely How soon can you contact Judge Kenyon?

Senator TYDINGS. We can take you up until 12 or 12:30, so long as you want to go on with us, and then we can go on with Miss Kenyon in the afternoon, so in any event, if you will be ready tomorrow we can dispose of you and Judge Kenyon most likely at the same time.

Senator McCARTHY. In other words, I can definitely assume I will go on at 9:30 in the morning?

Senator TYDINGS. And we will try to run until 12:30, and come back and give Judge Kenyon the afternoon. I do not know that she will want to go on. I imagine she will.

(Whereupon, at 1:15 p. m., the hearing was recessed, to reconvene the following day, Tuesday, March 14, 1950, at 9:30 a. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, MARCH 14, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment on March 13, 1950, at 9:40 a. m. in room 318, Senate Office Building, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, and Hickenlooper.

Also present: Senator McCarthy.

Senator TYDINGS. The committee will please come to order.

While you are getting your papers ready, Senator McCarthy, the Chair would like to make an announcement.

The committee has appointed, as its chief counsel, Mr. Edward P. Morgan, who was born May 28, 1918. After graduating from law school, Georgetown University, with degrees from other universities, Mr. Morgan, in March of 1940, was appointed as special agent of the Federal Bureau of Investigation. Following services in the field with the FBI, he was, in succession, a supervisor at FBI headquarters; assistant special agent in charge of FBI field offices; and special agent in charge of the Providence, R. I., and Albany, N. Y., field offices.

In the spring of 1946, he was appointed chief inspector at FBI headquarters, having under his supervision and direction all inspection matters involving the 59 FBI field offices in the United States and its Territories.

While associated with the FBI, Mr. Morgan made a special study of Communists, Fascists, and other totalitarian ideologies, and lectured to FBI agents and police officers from all over the world on such matters.

Now, proceed, Senator McCarthy.

But, before proceeding, may I say further that Mr. Morgan is not now with the FBI, but is a member of a Washington law firm.

The committee is going to admonish its fellow members, and also witnesses, to try to get here on time. The chairman expects to get here on time every morning unless he is in an accident, and hopes all others will do likewise.

TESTIMONY OF HON. JOSEPH R. McCARTHY, UNITED STATES SENATOR FROM WISCONSIN—Resumed

Senator McCARTHY. I think the Chair's clock is fast.

Mr. Chairman, in this case I have some reports from various intelligence files, and some of the material I think will be of a great deal

of interest to the committee. The copies of the reports which I am handing to the committee contain a complete copy of the files. However, in reading this, you will find that I will omit some of the material which is in your intelligence report, and in the copies that go to the press. The committee will find that I have deleted sections of the files dealing with—well, the purpose will be obvious to the Chair.

Senator TYDINGS. You are not going to read that? Do you want to make it a part of the record?

Senator McCARTHY. I want to make it a part of the record also.

Senator TYDINGS. If you will desist until we get a chance to look this over.

Senator McCARTHY. Mr. Chairman, I intend to read the entire document.

Senator TYDINGS. You have this marked on top "For committee use only."

Senator McCARTHY. Here is the copy with certain portions of the intelligence report deleted.

Senator TYDINGS. Will you give this copy to Senator Lodge, Senator Hickenlooper?

Will you give this to Senator McMahon, Senator Green?

Just hold up a minute, Senator McCarthy. You only give us one copy of your opening remarks. Will you give us a copy for each committee member?

Senator McCarthy, may I ask if this contains a part of the material you will read?

Senator McCARTHY. Let me make myself clear. The material I am giving the Chair contains copies of intelligence reports concerning this man I am about to cover, Gustavo Duran. Parts of the report are such that I do not think they should go out to the public. The reason will be very obvious if the Chair will compare the portions I have deleted. If I start explaining why they should not go out—

Senator TYDINGS. I just wanted to get the record straight. So it is fair to say that what you have given us for committee use only is not to be released by the committee until after they have had a chance to look at it.

Senator McCARTHY. And I am offering the deleted copies—

Senator TYDINGS. Just a minute, Senator.

Senator McCarthy, a very proper question has been asked me, and that is: "What you have given us is a complete record of the intelligence files of the individual, or is it just a partial record of it?"

Senator McCARTHY. That is all of the file that I have. There undoubtedly is much more in the files, but this is as complete as I can get it, Mr. Chairman.

Senator TYDINGS. This is all that you have?

Senator McCARTHY. That is all that I have.

I might say I will give the Chair the photostatic copies, but I would like to keep those until I finish my statement.

Senator TYDINGS. All right, proceed.

Senator McCARTHY. I offer this as exhibit 32.

Mr. Chairman, the committee will recall that the name of Gustavo Duran was first mentioned by me as a possible bad security risk in a speech which I made in Wheeling, W. Va., and Reno, Nev.

Senator TYDINGS. May I ask a question in order to keep the record straight? I don't know the man, and didn't hear of him before, and didn't read your Reno speech.

Senator McCARTHY. You missed something.

Senator TYDINGS. I will ask you whether you know, or not, whether this man is in the State Department today.

Senator McCARTHY. His position will be shown when—

Senator TYDINGS. He is now in the Department?

Senator McCARTHY. He was in the State Department. He is now in the United Nations, as the Chair will notice as we go along.

I have called Trygve Lie's office to find out exactly what work he is doing.

Strangely enough, the Secretary, rather his secretary, said they couldn't give that information to me.

I checked with the State Department and got the information, which is in the Register.

However, my physical check indicates that this man is in IRO, apparently screening refugees in connection with our DP program.

Senator TYDINGS. Well, we will investigate the case, but what I would like to know now is about when he left the State Department here.

Senator McCARTHY. Exactly, if the Chair will bear with me, all the exact dates are in my report.

Senator TYDINGS. All right.

Senator McCARTHY. At that time I said:

Now, let's see what happens when individuals with Communist connections are forced out of the State Department. Gustavo Duran, who was labeled as (I quote) "a notorious international Communist," was made assistant to the Assistant Secretary of State in charge of Latin-American affairs.

I refer there to Mr. Spruille Braden, Mr. Chairman.

Senator TYDINGS. Just a moment, Senator Green; that is "For committee use only."

His opening remarks are on this paper.

Go ahead, Senator.

Senator McCARTHY. He was taken into the State Department from his job as a lieutenant colonel in the Communist International Brigade. Finally, after intense congressional pressure and criticism, he resigned in 1946 from the State Department—and, ladies and gentlemen, where do you think he is now?

Senator TYDINGS. I don't want to interrupt you, but I wonder if you would be good enough to tell us who made that quote "a notorious international Communist"?

Senator McCARTHY. We will get to that.

Senator TYDINGS. You will get to that?

Senator McCARTHY. Yes.

He took over a high-salaried job as Chief of Cultural Activities Section in the Office of the Assistant Secretary General of the United Nations.

Senator GREEN. Excuse me. You say he was labeled. I think we ought to know by whom he was labeled.

Senator McCARTHY. By our intelligence forces. If the Senator will read the intelligence letters, the photostats I will give him—

Senator GREEN. I would like to read that and follow the testimony better in that way.

Senator McCARTHY. He was labeled in our own intelligence files. I will give the Chair a complete photostat of all the files which have been available, and I am sure the Senator will not question that after he reads the files.

This statement was promptly ridiculed by the Secretary of State who—through Mr. Peurifoy—merely said that this man Duran was no longer an employee of the State Department, but had been in the auxiliary foreign service from January 1943 until September 1945, and thereafter until October 4, 1946, in the Department. Mr. Peurifoy added that Duran had voluntarily resigned from the State Department on October 4, 1946.

One of the important facts that the Secretary overlooked in making this press release is that this man is still, as of today, a high-salaried official in the United Nations. On March 8 my office phoned the office of Trygve Lie to find out exactly what type of work he was doing. My office was advised that information could not be given to me.

In other words, the information as to what Gustavo Duran is presently doing in the United Nations was not furnished me.

The State Department advised me that Duran is now Chief of the Cultural Activities Section of the Department of Social Affairs, United Nations.

I was rather surprised to find that the Permanent Secretary of the United Nations felt he could not give to a United States Senator the information as to what this man was doing. However, since that time I have had the matter checked as well as possible in New York and am informed he is actually with the International Refugee Organization, engaged in work having to do with screening refugees coming into this country. The financial contribution which the United States makes toward the running of this United Nations agency amounts to 45.57 percent. (Taken from S. Rept. 1274, 81st Cong., 2d sess., Committee on Expenditures in the Executive Departments, prepared by Subcommittee on Relations with International Organizations.)

I might say that while the report shows that we pay 45.57 percent, actually, of course, we are paying practically all of the cost, in view of the fact that most of the nations that are contributing money are contributing money which we have previously given them.

Senator TYDINGS. The same money?

Senator McCARTHY. Whether it is the same dollar or not does not make any difference. If you put an American dollar in one pocket and take out a French dollar from the other pocket to pay the expenses, then what is the difference there.

Senator TYDINGS. In fairness, I don't think your remark is open to the interpretation that if we had not given them this money they would not have contributed. That is what you virtually are saying there, and I don't think you intend to say that.

Senator McCARTHY. When we give some \$5,000,000,000 to the United Nations membership, and they take money, whether it is the same dollar or not, to help pay for the UN work, obviously it is our money. So, in effect, the 45.57 percent refers to money we put in directly. It does not refer to American dollars which obviously are coming in indirectly.

Senator TYDINGS. Take the case of Great Britain. I feel pretty sure that if the British were not receiving a penny from us they would still have representation and they would pay for themselves at the United Nations.

My only point was—the way you stated it—it looked as though they would not have their representatives there if we did not pay for it. I don't think you mean to convey that; that is my point.

Senator McCARTHY. We can speculate on this, Mr. Chairman, but it would seem that if we were not giving the nations what we are, they would have to contribute more heavily directly. Whether that is true or not is a matter of speculation, but the point, as a practical matter, we are paying much more than the approximate half that this would indicate.

However, the Chair may have a different opinion.

Senator TYDINGS. That is right; but, as you have stated, you have stated a fact, and a fact is only a matter of speculation and I don't think we ought to have speculation in here. I think we ought to stick to facts. That was my point.

Senator McCARTHY. I think we should stick to facts. The fact is that the committee says that we are paying practically 45.57 percent—

Senator TYDINGS. All right.

Senator McCARTHY. The additional fact is that the other nations which contribute 30 or 35 percent, whatever it happens to be, are nations that are receiving four or five billions of dollars from us.

At the time that Acheson's man attempted to ridicule my statement, he either did not know the facts in the case or he was covering up the information which is in the files and which should have been known to him.

This information, which I shall document for the committee, was known or was available to the State Department. It shows that Duran was (1) well known for his rabid Communist beliefs and activities; (2) that he was active in secret Soviet operations in the Spanish Republican Army; (3) that a highly confidential report was sent to the State Department by the military attaché at the American Embassy in Madrid which, according to all existing rules, called for Duran's immediate dismissal—unless the facts were proven to be wrong. Originally, I understand it was claimed that this was a case of mistaken identity. That claim, I believe, has been subsequently dropped in view of the fact that our intelligence produced pictures of him in the uniform that he wore at the time he was the regional head of SIM, which was the Spanish counterpart of the Russian NKVD or OGPU. I now hand the committee one of those pictures.

Senator HICKENLOOPER. Do I understand, Senator, that that was the Spanish secret police, the SIM?

Senator McCARTHY. That was the secret police of the Spanish republican regime.

Senator TYDINGS. I suppose both sides had secret police; didn't they, Senator?

Senator McCARTHY. I assume that would be a fair supposition, Mr. Chairman.

Senator GREEN. May I ask a question?

Senator TYDINGS. Certainly.

Senator GREEN. Do I understand you to claim that because he was in the Spanish secret police that was evidence of his being a Communist?

Senator McCARTHY. As I develop this, the Senator will discover that Mr. Prieto, who was the Spanish Minister, appointed this man from the army, as head of the SIM. He was then dissatisfied with his activities. He was putting too many Communists in as the subheads. As the Senator will find as a result of that, Prieto moved Duran back to his army post as a major in the army, and that the Russian technicians called on him and told him that unless Duran headed this SIM unit they would break off relations with Prieto. The Russians said "You must have this man as head of this regional SIM."

Prieto ignored them, and the relations were broken off with this Russian technical staff.

Now, if the Senator will let me read the document, then if he still has any questions, I will certainly be more than happy to answer them. I wish he would let me give him the entire document, and I don't think he will have any questions then.

I now hand the Chair the picture I referred to, which apparently did away with the original contention that it was a case of mistaken identity, so the claim of mistaken identity has been dropped.

At the time this intelligence report reached the State Department, Duran was a highly placed official in a confidential capacity with the State Department in South America.

When the American people read the carefully prepared statement put out by the Secretary of State's office in regard to the Duran statement, they were entitled to rely upon it as being the truth. Unfortunately, anyone who believed that statement got a completely erroneous impression of the actual facts.

Whichever way you wish to interpret this situation I submit to the committee that it is typical of the carelessness of the top executives of the State Department of this country. The situation I have just discussed is typical of the type of news releases emanating from the State Department: it is typical of the half-truths we hear in answer to the information which I have been developing in regard to the bad security risks in that Department.

I now submit to the committee the intelligence report just referred to in its entirety.

Senator TYNDERS. Senator McCarthy, I don't recall now—do you recall who was Secretary of State in 1945, when this happened?

Senator McCARTHY. Mr. Acheson, I believe, was Under Secretary. The Senator will recall, I believe, who the Secretary was.

I believe you will recall, sir, as well as I do.

Senator TYNDERS. I don't recall, because we changed so frequently about that time.

Senator McCARTHY. That is why I say I think you will recall as well as I do, sir. I think it was Jimmie Byrnes, wasn't it?

Senator TYNDERS. Has anybody got the date?

Senator McCARTHY. Jimmie Byrnes was Secretary; the Chair will recall that Grew was the Under Secretary, that Grew was the man who insisted upon the prosecution of a man called Service, whose case I shall deal with this morning; that Grew was forced—let us say he retired or resigned 2 days later, after Acheson took over and reinstated

Service. We will get to that, but I think that should refresh our recollection as to who the Secretary was.

Senator TYDINGS. Who was the Under Secretary of State at the time you criticize the State Department for this particular transaction? I take it from your remarks it was Mr. Grew?

Senator McCARTHY. No, Mr. Chairman. I think Mr. Grew did an excellent job. That is why he is no longer there. Mr. Dean Acheson was Under Secretary of State at this time. It was in 1946—

Senator TYDINGS. In 1945?

Senator McCARTHY. We are speaking now—he was discharged in October 1946, according to Mr. Acheson's own press release. I must rely on that—October 4, 1946.

Senator TYDINGS. Hold that there, because I think we mentioned a date of 1945 a moment ago, and I want the record to show which is correct, I want the record to be straight.

Mr. McCARTHY. If the Chair will refer to the second last paragraph on page 12, he will find that the press release of the State Department shows that Duran was in the Department until October 4, 1946.

Senator TYDINGS. Let's refer to that.

Senator McCARTHY. The fifth line from the bottom.

Senator TYDINGS. Let's refer to that paragraph and get it in.

As I understand it, he has been in auxiliary foreign service from January 1943 until September 1945.

Now, during that period of time do you recall who was the Secretary and the Under Secretary of State?

Senator McCARTHY. The Chair will have to put the name on him—as to the exact date the different men resigned—

Senator TYDINGS. Was Mr. Acheson in the Department during the time from 1943 to 1945?

Senator McCARTHY. The first we have of Mr. Acheson was in 1939. He said he would vouch for Hiss completely. He was connected with the Department then. Again, in 1943, at the time of the FBI investigation of Hiss, he was there then, and I assume was Assistant Secretary at that time. He was made Under Secretary, Mr. Chairman, at the time Joe Grew was forced out.

Senator TYDINGS. When was that?

Senator McCARTHY. At the time of the Amerasia case in 1945.

Senator TYDINGS. Then, from 1943 to 1945, he could not have been the Under Secretary.

Senator McCARTHY. He could not have been the Under Secretary before he was made Under Secretary, that is correct.

Senator TYDINGS. As I understand it—who was the Under Secretary when Mr. Grew was forced out, as you say?

Senator McCARTHY. I don't know when Grew took over. I don't know the exact date he resigned. I connect the date of his resignation with the Service case. He was reinstated 2 days before Grew resigned.

Senator TYDINGS. The only reason I bring it up, you have used Mr. Acheson's name several times, and I think it is important to show whether or not he was Under Secretary when the alleged service was rendered to the country by the subject you refer to.

Senator McCARTHY. I think that is a good question, Mr. Chairman. Let us clear that up now.

If the Chair will refer to the photostatic copy of the intelligence report—

Senator TYDINGS. Is this it?

Senator McCARTHY. Yes. You will find that five copies were given to the State Department. I believe the date was in 1946; it is on the report. At that time Mr. Acheson was the Under Secretary, I believe.

Senator TYDINGS. He didn't stay in very long after Acheson became Under Secretary, according to your date.

Senator McCARTHY. He stayed until October 4, 1946. Acheson became Under Secretary in 1945. If the Chair does not consider a year a very long time—

Senator TYDINGS. I don't think any man can get the dossiers of 16,000 employees after 10 minutes, or within a short time of taking over an office.

Senator McCARTHY. Let's go on and see what Duran is doing now. I think this is important, and I will call attention to it—the State Department put out a carefully worded statement which certainly did not contain the facts in my statement. I said this man had been in the State Department. I pointed out this was an example of what happens to an outstanding Communist when forced out. I pointed out that he was over with the United Nations. The State Department put out an answer to that saying, in effect, the last they knew of this man was in October 1946.

Now, the State Department knows very well where this man is, and I think one of the things the committee should investigate—

Senator TYDINGS. Just a minute—all right, go ahead.

Senator McCARTHY. I think one of the things this committee should spend some time on is the question of how men like Duran, and these other individuals with unusual backgrounds, shift so easily from the State Department to the United Nations.

Senator TYDINGS. Senator, we will examine into everything.

Senator McCARTHY. Someone, we know, using ordinary common horse sense—we know someone in the State Department is shifting them over. I think we should find out who.

Now, going on with our man Duran—it will be noted the State Department received a copy of the intelligence report just referred to. There are certain matters discussed in this report which I do not feel should be made public until the committee has had a chance to thoroughly look into them. I have, therefore, deleted those sections from the copies being handed to the press and will not read them into the record at this time. The entire report, however, with nothing deleted, is being handed to each of the members of the committee.

B. I. D. No. 7232
Report No. R-200/46

CONFIDENTIAL INTELLIGENCE REPORT

For general use by any United States Intelligence Agency

From : Military Attaché, American Embassy, Madrid, Spain

JUNE 4, 1946.

Source : Spanish Army Central General Staff B-3

Area Reported On : Spain

Who's Who : Gustavo Duran

Following is the report given the Military Attaché by the A. C. of S., G-2, Spanish Central General Staff, after the M/A asked whether Duran was known: "Gustavo Duran came to Madrid for the first time in the 1920's from the Canary Island, in the company of another Canarian, a painter called Nestor, who was registered by the Spanish police for the same reasons—" as Duran. * * *

[blanking a portion out] * * *. "As a friend of Nestor, Gustavo Duran became employed as a pianist in the company of Antonia Merce the 'Argentinita,' and went to Berlin to participate in that capacity in dance shows. However, his—" * * * [blinking out a portion] * * * "caused him to incur the fury of the Berlin police, which finally ousted him from Germany.

"Similar trouble happened to him in other European capitals. His—" * * * [again a blank space] * * * "grew to the limit in Paris, which was the preferred center for his activities some years before the advent of the Spanish Republic in 1931, while he was under the protection of his friend Nestor, the painter, who was well known in certain Parisian quarters. About that time the Soviets entrusted Gustavo Duran with some missions and finally appointed him their agent."

"Upon the proclamation of the Spanish Republic, the 'Porcelana' (as he was nicknamed) returned to Madrid. His identity papers indicated that he was the representative of the Paramount Film Co. However, his true mission was service of the GPU. Duran was greatly successful in his activities due to the political protection he enjoyed. He soon became one of the leading members of the youths of the Communist Party, and greatly contributed to the merger of the Communists youths with the youths of the Spanish Labor Party, thus giving birth to the JSU, of fateful remembrance, since this organization committed the most cold-blooded crimes before July 18, 1936—that is the date of the military uprising—and during the red revolution which ensued.

"During the republican regime (1931-36) Duran continued practicing his—" * * * [blanked out] * * *.

I might say this was before the Spanish civil war, as we all know.

"Together with other 'close' friends of his and some young pro-Communist poets, among whom Alberti was noted, Duran succeeded in becoming notorious. All of them were his tools and all of them were made into active Communists. In Duran's home located—" * * * [at blank] * * *, "such meetings took place that the police had to interfere frequently, thus giving occasion to complete his record as—" * * * [considerable blank space] * * * "In the files of the General Directorate of Security. This record as—" * * * [blank] * * * "was probably removed by his friend, Serrano Poncelet, who was the chief of the 'Red' police during the months of October and November 1930 in Madrid and political reporter of 'Mundo Obrero' (a Communist newspaper), and chief of the JSS. Duran's release from his frequent imprisonments for—" * * * [again a blank] * * * "conduct was due to his powerful political protectors, who blindly obeyed orders from the Soviet political police.

"Upon the national uprising (beginning of civil war) Gustavo Duran took over the nearest convent to his house, called 'las Siervas de Maria,' located at the old Chamberi Plaza. He was there the 'responsable,' or chief. He was afflicted there with typhoid fever during the month of August 1936."

The next notation on the photostat is that five copies of this report went to the Dist W Europe, one to the Spec Dist, one to DC/CG, five to ONI, six to the State Department, and one to the FBI.

"The 'Causo General' (general judicial proceedings) has information about the crimes perpetrated by the militia under the command of Duran's 'choza' (illegal prison). He was one of the principal leaders of the popular militia created by the Communists. He was a personal friend of Lister and Modesto (commanders of red brigades, now Generals in the Russian Army) and soon became captain, major and lieutenant colonel of the 'Red' Army. He belonged to the General staff of the 'Red' forces which directed the 'brilliant' withdrawals of Talavera de la Reina, Maqueda, Toledo, etc.

"When the International brigades were brought into the Madrid and Aranjuez fronts, Gustavo Duran formed part of the High Russian General Staff, with headquarters at Tarancón and its vicinity, where they left sad and hideous recollections.

"After Tarancón we (the Spanish Intelligence Service) lost track of Duran. It appears that he went to Moscow with a delegation of male and female members of the 'Red' Army. It appears that later he was for some time in Paris.

"And now he is in Washington as a collaborator of Spruille Braden, Chief of a Section of the State Department."

Then, the MA Comment: "A very reliable Spaniard who is anti-Franco in sympathies but is middle of the road Republican and extremely pro-United States and democratic in his views states that he knows personally that Duran as commander officer of an International brigade in a small town not far from Madrid ordered the execution of the town electrician and another man who was a Mason, neither of whom has committed any act for which they should have suffered this execution."

"WENDELL G. JOHNSON,
"Colonel, G. S. C. Military Attaché."

Senator TYDINGS. Shortly after that report reached the State Department, the notation is that this man voluntarily resigned.

Senator McCARTHY. This apparently reached the State Department June 4, and October 4 he voluntarily—I think that word is important—he "voluntarily" resigned.

Senator TYDINGS. Won't you allow me to correct that? The date of the report, written in Spain, was June 4, not the date it was received by the State Department—is that correct?

Senator McCARTHY. I assume it took a couple of days to get here, more or less, so we will say June 6 or 7.

Now, on August 2, Senator Wherry wrote to the State Department, to Secretary Byrnes, and I think this is especially significant, because all of this material must have been in the files at the time the Secretary indicated this man just had disappeared from public life.

AUGUST 2, 1948.

The Honorable JAMES F. BYRNES,
Secretary of State, Washington, D. C.

DEAR SECRETARY: As a member of the Appropriations Committee, on April 18, 1948, I asked for investigation of certain persons holding positions of trust and responsibility in your Department.

It was my purpose then and is now to withhold appropriations that finance the salaries and activities of anyone in the State Department whose allegiance appears to be to some other country than to the United States.

You will recall, Mr. Secretary, that when you appeared I questioned you about some of these officials and among them was a Gustavo Duran. This was just prior to the Carter Glass funeral. At that time you stated there was a question of identity of Gustavo Duran.

That question no longer exists, since Intelligence procured the particular picture I gave the Chair.

You stated further an investigation had revealed that he was some other person than the man in the State Department, who has been an assistant to Spruille Braden.

It has now come to my knowledge there exists an extensive military intelligence report on this man, Gustavo Duran, and I am reliably informed that several copies of this report have been delivered to the State Department.

I am now making this formal request upon you in my official capacity as a United States Senator, and as a member of the State Department Subcommittee on Appropriations, that on the basis of this report you immediately discharge Gustavo Duran.

Cordially yours,

Senator TYDINGS. Have you got Secretary Byrnes' reply to that?

Senator McCARTHY. I have a reply to it but, as usual in correspondence, you write to the Secretary, and someone else replies.

Senator TYDINGS. Will you read the reply?

Senator McCARTHY. The Chair knows I intend to read the reply, because it is on the next page of the document.

Senator TYDINGS. I didn't see it.

Senator McCarthy. It is headed:

ASSISTANT SECRETARY OF STATE,
Washington, September 14, 1946.

MY DEAR SENATOR: I am in receipt of your recent inquiry about the security investigation by the Department of Mr. Gustavo Duran. As you know, the Department has a security committee which confines itself to reviewing security investigations—

in other words, the old Loyalty Board—

and to making recommendations based thereon. Of course, this committee has nothing to do with reviewing the qualifications or competency of the person reviewed for a position in the Department other than as security is involved. I have added this because from our conversation I would assume that you seriously question the qualifications of Mr. Duran for employment, as distinguished from security consideration. That phase of Mr. Duran's employment is not within the scope of the security committee.

I want to call the committee's attention especially to the next paragraph. This indicates that conditions have not changed much since September 14, 1946, down to date. He says:

After reviewing the entire record on Mr. Duran as procured from all available sources, the security committee recommended favorably on Mr. Duran. I have carefully gone over the record before the security committee and I have approved their recommendation.

While I recognize that the above conclusions are at variance with your own feelings, I have to do my duty as I see it and I hope that you will recognize that I have attempted to exercise my judgment faithfully and honestly.

With best wishes, I am
Sincerely yours,

And, it is signed "Donald Russell."

Senator TYDINGS. Mr. Russell at that time—was he Under Secretary of State?

Senator McCarthy. He was the predecessor of Mr. Peurifoy—held the job now held by Mr. Peurifoy.

Senator TYDINGS. Do you know the title?

Senator McCarthy. I have difficulty in keeping track of the title. I believe it was Assistant Secretary for Administration, or something along that line. Anyway, he had the job Mr. Peurifoy now holds.

When Mr. Russell wrote this letter on September 4, 1946, he had in his files the top-secret report from the military attaché in Madrid, which I have already referred to, outlining in detail the facts I have given on Duran.

Now what was the mysterious power in the possession of Duran that enabled him to continue to serve as a confidential assistant to Spruille Braden, the then head of the State Department's South American affairs?

Why was this man permitted voluntarily to resign in the face of these grave charges?

And, I might add, who has gotten him the important task of going to the UN, and doing the job of screening refugees coming into this Nation?

Senator TYDINGS. Senator McCarthy, I would like to say that your inquiry that we should find out who got him the job in the United Nations, inasmuch as there is no evidence in what we are reading here, will be a part of our inquiry. We don't know who he is, whether innocent or guilty, but we will find out anyway.

Senator McCARTHY. I don't have documentary evidence, but we will be able to help your staff very considerably, as to who recommends these individuals to UN, and who gets them their jobs.

Mr. Duran obviously had powerful friends, and one of his greatest champions was his immediate chief, Spruille Braden.

I now show the committee exhibit 33, which is a copy of a letter marked "secret" and dated December 21, 1942, in Habana.

I believe the chairman has this exhibit before him, which reads as follows:

HABANA, December 21, 1942.

Memorandum for the Military Attaché:

Mr. Gustavo Duran was recommended to me in the first instance by a friend of unimpeachable patriotism and integrity. He was recommended for a specific objective requiring a person of highly specialized qualifications; his duties were to be concerned with protecting United States interests through confidential surveillance over Falangist activities in Cuba.

As to Mr. Duran's background, he is a naturalized American citizen born and educated in Spain.

Incidentally, his naturalization was one of the most rapid I ever heard of—as I recall it took about 6 weeks.

He is of good family, and in his youth was particularly interested in the arts. When the Spanish civil war began in July 1936 he gave up everything to fight on the side of the Loyalists and from a somewhat dilettante but brilliant young man, turned into a vital force for the Republican cause. His military record was reportedly brilliant. He was further described to me as being a man whose hatred for the Fascists, and his deep devotion to liberal principles, are not open to debate.

This is Spruille Braden speaking, you understand.

A close association with him during a period of over a year fully supports this description.

Mr. Duran arrived in Habana in November 1942 on the payroll of the Pan American Union and was to transfer to the staff of the CIAA on February 1, 1943. Instead, I urgently recommended his employment as an auxiliary Foreign Service officer in a telegram from which I quote the following:

"I regard Duran as eminently qualified for the work he is performing and I have the highest estimation for his intelligence and character as well as for his complete loyalty and discretion. He has already proven of very great value to this Embassy and I anticipate that his usefulness will increase as he becomes more familiar with conditions in Cuba. I consider that his continuance here is particularly desirable at the present time when our relations with Spain are of such vital importance."

Mr. Duran has now served as one of my immediate associates for more than a year. His work has been excellent and outstandingly useful to the United States Government. From my personal knowledge based on close association, Mr. Duran is not a Communist but a liberal of the highest type. I consider him an unusually worthy, patriotic, and honorable American citizen, who shows great promise as a United States Government official capable of high responsibility.

SPRUILLE BRADEN.

This was written, Mr. Chairman, at the time, you understand, that Duran, of Spanish fame, was not the Duran of State Department fame, but that claim has long since been dropped.

Senator TYDINGS. The date of the communication you have just read was December 21, 1943.

Senator McCARTHY. That is exactly as I read it, December 21, 1943, Mr. Chairman.

Mr. Braden describes Mr. Duran as one recommended to him by a friend of unimpeachable integrity.

He set forth in his letter that Duran was a naturalized citizen, born and educated in Spain, of good family and in his youth was particularly interested in the arts. Braden said that from 1936 Duran gave up everything to fight on the side of the Spanish Loyalists and said he urgently recommended his employment as an auxiliary Foreign Service officer.

Incidentally, not that this is important, but Duran was mistaken in where he was born. He was born in the Canary Islands, according to the Intelligence reports.

Now with that information in the possession of the then Secretary of State, information which Braden gave, plus the claim that this was not the same Duran, I can understand why the then Secretary kept him on. That was before the intelligence report was made available to the Secretary of State.

Following Senator Wherry's letter to the State Department of August 1946, in which the Senator maintained that this man was such a bad security risk that he should be discharged, we find that he was permitted to resign on October 4, 1946.

In view of the grave charges made by Senator Wherry and the unusual attitude of the State Department in permitting this man's resignation, plus all the information the committee will have before it, it would be interesting to know what, if any, investigation was made by State Department officials as to his conduct while in a responsible, confidential capacity in the Department.

But Duran's friends in the State Department did not turn their backs on him.

After his resignation, Duran almost immediately was employed as a representative of the International Refugee Organization of the United Nations. He was employed there as of yesterday.

I believe I have explained that this is not his title, according to the State Department. Trygve Lie's secretary says he cannot tell me what he is doing, but we sent a man over there to physically check, and try and find out, and he reports that his work has to do with the screening of refugees.

Senator GREEN. May I ask a question?

Senator McCARTHY. Yes.

Senator GREEN. Can you explain why Mr. Braden did not sign this letter of December 23, 1943?

Senator McCARTHY. There is no part of Mr. Braden's actions that I would even attempt to explain, Senator.

Senator GREEN. All right.

Senator HICKENLOOPER. Mr. Chairman, this exhibit, as I understand it, is not in the form of a letter. It is in the form of a memorandum for the military attaché, or rather, from the military attaché.

Senator McCARTHY. It is a photostat of the memorandum which is in the Department file.

Senator TYDINGS. The signature is typed in; is that your point?

Senator McCARTHY. If the Senator wants to get the original, he can get it where I cannot. I assume that would be in order.

Senator TYDINGS. Well, we will get it.

Senator McCARTHY. I have received a confidential report that Duran was recommended for his UN position by a member of the present Presidential Cabinet. It has also been reported to me that

Duran is the brother-in-law of Michael Straight, the owner and publisher of a pro-Communist magazine called the New Republic.

Here again it is certainly pertinent to inquire where this man got his power, what he did while in the State Department and, possibly, of equal importance, is what he did not do.

To complete this picture, I attach hereto copies of the following documents:

Senator TYDINGS. Has the New Republic been declared by any organization as a Communist-front newspaper, Senator McCarthy?

Senator McCARTHY. I did not say "Communist front," Mr. Chairman. It is not necessary for the Chair to put words in my mouth. If he will read the top of page 13—

Senator TYDINGS. I did not read it, but I want to know who denominates it as pro-Communist magazine.

Senator McCARTHY. I have just named them that. If the chairman will read it, I think he will agree—

Senator TYDINGS. I do not have the time to read it.

Senator McCARTHY. I do not recommend it necessarily for reading.

Now, the exhibit numbered 34, Mr. Chairman—

Senator HICKENLOOPER. Is that the one denominated 1?

Senator McCARTHY. This is the report from Edward J. Ruff, assistant United States military attaché in the Dominican Republic, addressed to the American Intelligence Service dated December 30, 1943.

I have a note here, that the date of this is December 30, 1943. I do not find any date on this document, however. I assume that that is the correct date.

The second page of the letter, I do not have the first page either—the first part may not be too valuable, Mr. Chairman. It is not clear who Ruff is referring to.

It is marked "Secret copy," and says:

He states, dogmatically, that the records showed Duran to be a member of the Spanish Communist Party. Our source had previously made available to us the information agreeing with that sent to us by military attaché, Havana, except the statement that Duran entered the Army as a private. According to our agent, Duran was commissioned directly from civilian life and given the rank of major in the militia. Later when the militia became part of the Spanish Republican Army, he was made a major in the army. The only additional information we had, and which we did not mention in the report, as it was not believed pertinent, was the reported fact that Duran is a homosexual. I do not question Duran's interest in the arts, his culture, or intelligence. However, we only stated in our report that Duran was a member of the Communist Party, and that we did not know whether he is still a member of the Communist Party. I, myself, am convinced that Duran was a Communist and consider Ambassador Braden's statement that he is a "liberal of the highest type" to be a euphemism. Under the circumstances, I believed the reliability of our report still remains as originally submitted.

The Ambassador here is inclined to concur in my report on Duran, but has asked that no further official correspondence on the subject be sent up. Hence this personal letter from me.

I want to repeat that, Mr. Chairman:

The Ambassador here is inclined to concur in my report on Duran, but has asked that no further official correspondence on the subject be sent up. Hence this personal letter from me.

Senator TYDINGS. Just a minute, Senator McCarthy.

Senator McCARTHY. I might say the entire letter—the first half I did not read, and it might be well to read that into the record, also,

and with the permission of the Chair I would like to read the first half of that letter.

Senator TYDINGOS. All right.

Senator McCARTHY. I read the last half from the photostatic copy. I do not have a photostat of the first. Here is the first half:

I want to take this opportunity to clarify my position in connection with Report No. 428, dated December 13, 1943, subject: Gustavo Duran, alleged Communist employee of the CIAA, Havana. As you know, this office received a cable from the military attaché, Havana, requesting that dissemination of this report to be held up on the grounds that it was "absolutely incorrect." A few days ago we received letter No. 7007 from Lieutenant Colonel Brown, written by Ambassador Braden concerning this individual. Both these communications corroborated information which we had regarding Duran and I cannot see on the basis of their reports how our report can be branded as "absolutely incorrect." Our only statement in the report on Duran is that he was a member of the Communist Party in Spain. From further reports received, this information can now be evaluated as A-1. For your own knowledge, the information on Duran was submitted by a Spanish refugee who also served on Duran's promotion board in Spain, which board was charged with considering recommendations for promotion of Spanish Republican officers. As our source was actually sitting on the board at the time that Duran's recommendation for promotion came through, he himself saw all Duran's papers and letters of recommendation, and had access to complete information regarding Duran's background.

I next submit to the Chair an excerpt from the book, *Why and How I Left Defense Ministry in the Intrigue of Russia in Spain*, by Indalecio Prieto, former Minister of Defense for the Spanish Republican cause.

Senator TYDINGOS. Is that the next page?

Senator McCARTHY. I have the original document, if the Chair cares for it.

Senator TYDINGOS. I want to follow you.

Senator McCARTHY. I hope the committee will keep in mind that this is the same Duran who is apparently presently screening our DP's.

It is true that I have had certain incidents with the Russians. Certain Russian technicians proposed to me in Valencia that a service of military investigations should be created. This was the Spanish counterpart of the NKVD. I confess that I opposed the project. But because of insistent pressure, I created the SIM.

The SIM, I believe the committee knows, is the counterpart of the Russian NKVD.

I was especially concerned with choosing a chief, until I gave it to an intimate friend of mine, who had just come from France, where he was with his family. In entrusting him with the task, I gave him these instructions:

"You are going to form the SIM, carefully, with elements of all groups of the Popular Front. Your only charges will be these two: Do not permit the new organization to be converted into an instrument of the Communists and do not permit Russian technicians to gain control. Listen to the advice of these technicians and follow their orientations, which can be very useful to you, but control must always be in your hands and in that of the Government, and of no one else."

I showed little tact in the selection of that comrade. A Republican named Sayagues came in fact to be the chief of SIM. Regional chiefs of the SIM were designated and they proposed to me a certain Gustavo Duran for the Madrid zone. It was not concealed from me that the person proposed was a Communist. I knew this, but in spite of that, he was appointed by decree which I myself drew up, because I did not wish to follow in a slavish manner the project which was handed to me—there is an article by virtue of which the appointment of all agents of the SIM rests exclusively with the Minister of

National Defense. This was a guarantee which temporarily I wish to establish. No one could be an agent of the SIM who was not in possession of the memorandum book which bore duplicate the signature of the minister. Duran having been appointed chief of the demarcation of the army of the center, of his own accord and without power to do so, appointed the agents who were under his orders, which to the number of some hundreds, were Communists and only four or five were Socialists.

As the Chair will recall, this was at the time Spain was trying to work out her difficulties by having a coalition government of Socialists, Communists, and so forth.

I faced an intolerable situation, wherefore alleging, and with reason, that I lacked commanders in the army. I ordered that all military chiefs who were not in particular positions in the army should return to their former positions, and thus Major Duran had to return to his military function. Because of Duran's leaving the SIM, I received a visit from a Russian technician, of these services, who said to me:

"RUSSIAN AGENT. I have come to speak to you about the dismissal of Duran. What happened?"

"PRIETO. Nothing special I lacked commanders in the army and ordered Duran to return to it."

"RUSSIAN AGENT. No. You discharged him because he appointed Communists as agents in Madrid."

"PRIETO. That is also sufficient reason, because Duran absolutely lacked authority to make appointments."

"RUSSIAN AGENT. Why did he not have the power to appoint agents?"

"PRIETO. Because by virtue of the decree creating the SIM that power is reserved exclusively to the Minister."

Still quoting:

I read the decree and before the evidence of my statement my visitor alleged:

"RUSSIAN AGENT. Duran could make temporary appointments."

"PRIETO. Neither actual nor temporary. Here in Spain, moreover, the temporary is converted into the definitive.

"RUSSIAN AGENT. Be that as it may, I come to ask you to immediately restore Major Duran as chief of the SIM in Madrid."

"PRIETO. I am very sorry, but I cannot consent."

"RUSSIAN AGENT. If you do not consent to restore Duran, my relations with you are broken."

"PRIETO. I am sorry, but Major Duran will go to the front of his division and will not return to the SIM. Your attitude is unjustified and I cannot yield to it."

I did not yield as a matter of fact, and my relations with the Russian technician, through his own wish, were absolutely cut off. I have not seen him since that scene.

Incidentally, the Chair questioned my description of the magazine New Republic.

Senator TYNDERS. I did not question it, I asked what information you had to support your allegation.

Senator McCARTHY. If I may finish, I want to call attention to the fact that Mr. Wallace was for a time the editor of that paper, and the Chair may not think he is pro-Communist. I think he is, and as far as I know the magazine has not changed its policy in the slightest since Wallace left, in fact it almost seemed that Wallace was a stabilizing influence on that paper, if anyone could call Wallace that in any thing.

I believe, Mr. Chairman, that covers exhibits in the Duran case.

Senator TYNDERS. The confidential exhibits furnished by the witnesses will be held by the committee until the whole committee authorizes in whole or in part their release.

Senator McCARTHY. I am going to give the chairman another photo stat—I think that had better be given later to the committee staff.

Mr. Chairman, while out making some Lincoln Day speeches, I also mentioned another name which has been shrugged off by the State Department. I would like to read what I said about this individual, very briefly.

Senator GREEN. May I ask a question?

Senator TYDINGS. Senator Green would like to ask a question.

Senator GREEN. In that connection, Senator, would you like to put into the record all your speeches on this subject?

Senator McCARTHY. If the Senator wants my speeches, he most certainly can have them.

Senator TYDINGS. Will you put in both the written speeches and the oral speeches, because as I recall your testimony, you stated on the floor that you spoke without notes out at Wheeling, at least.

Senator McCARTHY. Not at Wheeling, at Reno, Nev.

Senator TYDINGS. Well, at Reno; and, we would like to have both the written speech and the oral speech.

Senator McCARTHY. I am glad to know the Chair is so interested in my speeches. I will give him a complete file I have made.

Senator TYDINGS. The Chair is interested in everything you have to say about this hearing, from the time it started until it ends.

Senator McCARTHY. Here is what was said about this man Harlow Shapley.

I said you will recall last spring there was held in New York what was known as a World Peace Conference—

Senator TYDINGS. Do you have copies of this?

Senator McCARTHY. I am reading from the Congressional Record.

This conference was labeled by the State Department, and Mr. Truman, as a sounding board of Communist propaganda and a front for Russia. Mr. Harlow Shapley was a chairman of that conference. Interestingly enough, according to a news release put out by the State Department in July, the Secretary of State appointed Shapley on a commission which acts as liaison with UNESCO and the State Department.

After I made my Lincoln Day speech, the State Department, through its Under Secretary John Peurifoy, had this to say in his press release of February 18, 1950, concerning Dr. Shapley:

Dr. Shapley has never been an employee of the Department of State. However, in 1945, he served as a member of the American delegation at the UNESCO Conference in London; and in 1946 to the International Astronomical Union at Copenhagen.

Dr. Shapley is a member of the National Commission for UNESCO, representing the American Association for the Advancement of Science.

I submit that this statement in Mr. Peurifoy's press release is a misrepresentation of the true facts concerning Dr. Shapley's association with our Department of State.

Keep in mind, this is the man who headed the peace conference which the Secretary labeled as a sounding board for Russia.

Senator TYDINGS. Senator McCarthy, my two colleagues are asking me questions which I will attempt to clear up.

Is this one of the cases you outlined on the Senate floor by number?

Senator McCARTHY. No; this is one of the men I mentioned in talking, one that the Secretary had referred to in a news release, and I assure the Chair that whenever I refer to one of those cases mentioned on the Senate floor, I will give him the number.

The full facts concerning Dr. Shapley and the facts that the State Department's press release conveniently omitted are these:

Dr. Shapley was appointed to the National Commission for UNESCO by the Secretary of State in May 1947 to fill an unexpired term, and he was reappointed to that position by the Secretary of State in June 1947 for a second term on the Commission, which expires in April of this year.

Not only was Dr. Shapley twice appointed to the National Commission by the predecessor of the present Secretary of State, in accordance with the provisions of Public Law 565 of the Seventy-ninth Congress, but his transportation expenses and \$10 per diem are also paid by the State Department, in accordance with the provisions of Public Law 565.

I am at a complete loss to understand how the State Department could seek to avoid responsibility for Dr. Shapley's appointment and continuance on the National Commission, in view of these uncontested facts.

As a matter of fact, I know that John Peurifoy had all of these facts in his possession concerning the appointment and payment of expenses for Dr. Shapley at the National Commission at the time his misleading press release of February 13 was issued to the public. I know that because I have a letter from John Peurifoy, dated February 16, 1950, in which he furnished me with the facts concerning Shapley's appointments and compensation, in accordance with Public Law 565.

Now I personally do not blame John Peurifoy for attempting to mislead the public and whitewash the State Department in that press release. I have known Peurifoy to be an upright, honest individual, and I for one am convinced that he is issuing these misleading half truths to the American public on orders from higher ups.

It is inconceivable that the Secretary of State should be condemning the Communist-inspired Scientific and Cultural Conference for World Peace on the one hand, and retaining Dr. Harlow Shapley, one of its main organizers, in an important position with UNESCO, on the other.

As this committee well knows, the power to appoint carries with it the power to dismiss unless definite restrictions are placed on the appointing authority, which they are not in the case of Dr. Shapley. Furthermore, inasmuch as State Department funds are being used to pay the traveling expenses and per diem of Dr. Shapley's at the National Commission, there is no reason why he could not be summarily dismissed from that position by Secretary Acheson under the broad powers of the so-called McCarran rider.

Dr. Shapley's active participation in the Soviet Peace Conference is not the last nor only Communist-front with which this man has been affiliated. His record with Communist fronts is a long and interesting one.

Now, I have here, Mr. Chairman, I do not want to take the committee's time to dwell on each one, in view of the fact that the Secretary himself has said this man headed an outfit which was a sounding board of Communism, but I have here in my hand, a list of some 36 Communist-front organizations which this individual has belonged to, and if the Chair's staff is interested—

Senator Tydings. They will be printed in the record at this point.
Senator McCarthy. I will be glad to give them to him.

1. Joint Anti-Fascist Refugee Committee, sponsor (letterhead dated September 8, 1944) (also letterhead of April 28, 1948).
2. Joint Anti-Fascist Refugee Committee, chairman, reception committee for Irene Joliot-Curie, a leading French Communist leader and wife of Frederic Joliot-Curie, top-ranking French Communist Party member (invitation to the dinner, March 31, 1948).
3. Joint Anti-Fascist Refugee Committee, speaker (*The Worker*, October 31, 1947).
4. Fraternal Outlook, official organ of the International Workers Order, Interview, March 1942, p. 12.
5. National Federation for Constitutional Liberties, signer of statement on issuance of commissions to Communists (*Daily Worker*, March 18, 1945).
6. Progressive Citizens of America, attack on motion picture industry for firing Communists (*Daily Worker*, November 26, 1947).
7. Progressive Citizens of America, vice chairman (PCA Politics, October 1947).
8. Progressive Citizens of America, chairman, cultural freedom conference (*Daily Worker*, October 27, 1947).
9. Progressive Citizens of America, honorary chairman, Massachusetts chapter (the *Progressive Citizen*, March 1947).
10. Progressive Citizens of America, Conference on Thought Control In the U. S. A. (pamphlet, 1947).
11. Progressive Citizens of America, delegate, national convention (release of list of delegates, 1948).
12. Progressive Citizens of America, speaker on behalf of Hollywood Communists (dinner program, March 1948).
13. National Committee to Defeat the Mundt Bill (pamphlet: *Hey, Brother, There's a Law Against You*) (also release dated June 15, 1949).
14. League of American Writers, signer of open letter (*Daily Worker*, July 31, 1940).
15. Independent Citizens Committee of the Arts, Sciences, and Professions, vice chairman (letterhead, May 1946).
16. Independent Citizens Committee of the Arts, Sciences, and Professions, initiating sponsor (*Daily Worker*, December 24, 1944).

May I call attention to the fact that most of the organizations with which Harlow Shapley has been associated get their publicity exclusively in the *Daily Worker*, the official organ of the Communist Party.

17. Congress of American Women, an affiliate of the Soviet-controlled Women's International Democratic Federation, speaker (*Daily Worker*, September 23, 1947).
18. American Committee for Democracy and Intellectual Freedom, member, national committee (letterhead, September 22, 1939).
19. Signer of statement defending Isadore Rubin, Communist writer (*Daily Worker*, January 16, 1948).
20. Teachers Union, speaker (*New York Times*, April 18, 1949).

I might point out that this organization has been cited as Communist by a number of witnesses before the Senate Committee on the Judiciary.

21. New York Conference for Inalienable Rights, signer of open telegram (*Daily Worker*, September 17, 1940).
22. United Public Workers—an organization which was thrown out of the CIO for being Communist—speaker (*Daily Worker*, April 16, 1948).
23. Bill of Rights Conference of the Civil Rights Congress, sponsor (*Daily Worker*, June 17, 1949).
24. Council for Pan American Democracy, open letter defending Luiz Carlos Prestes, leading Brazilian Communist Party official (*New Masses*, December 8, 1940).
25. National Emergency Conference for Democratic Rights, signer of open letter (*Daily Worker*, May 13, 1940).
26. New Masses, official Communist periodical, signer of open letter (*New Masses*, April 2, 1940).

27. Spanish Refugee Appeal, national sponsor (letterhead dated February 26, 1948).
 28. Conference Against Anti-Communist Legislation, speaker (Washington Times-Herald, April 28, 1948).
 29. Citizens United to Abolish the Wood-Rankin Committee, supporter (New York Times, March 14, 1948, paid advertisement).
 30. American Russian Institute, speaker (Daily Worker, May 20, 1947).
 31. American Russian Institute, member, board of trustees (New York Times, December 12, 1947).
 32. Statement in defense of Gerhard Eisler (Daily Worker, June 28, 1947).
- Eisler is, of course, the notorious International Communist agent who escaped on the Polish liner *Batory* last year. Incidentally, the affection between these two was mutual, because Eisler spoke in praise of Harlow Shapley in a piece entitled "My Side of the Story," page 6.
33. Conference on Cultural Freedom and Civil Liberties (PCA Politics, October 1947).
 34. Committee of One Thousand, sponsor (press release, March 5, 1948).
 35. Attack on United States Foreign Policy in Greece (New York Times, September 10, 1947).
 36. Committee for the First Amendment (pamphlet, p. 5).

Mr. Chairman, in their recent testimony before the Senate Appropriations Committee, both Mr. Acheson and Mr. Peurifoy stated that homosexuals are regarded as poor security risks. These State Department officials pointed out in that testimony that some 91 homosexuals, whom they considered to be people of moral weaknesses, were asked to resign from the Department.

I agree, and I am sure that no one here will disagree, with the official position of the State Department; namely, that homosexuals are poor security risks.

Senator TYDINGS. Just a minute.

We will have a little less confusion in the chamber, please, a little less noise.

Proceed, Senator.

Senator McCARTHY. The case I will now discuss involves a man who is not only reported to be a homosexual, but he was arrested for sexual perversion.

Because of the sordid details of this case—and until the committee has had ample opportunity to investigate the matter—I will not make public the name of this man, but I will give to the committee the full details concerning this case, including the name of the individual involved, for their executive consideration.

This individual was employed in the Foreign Service and the State Department until 1948 when he resigned for reasons unknown to me.

I had received information from several sources that this man was a notorious homosexual. A check of the records of the Metropolitan Police Department indicated that these reports were true. I now hand the Chair, for your executive consideration, a copy of a police report, together with a police photograph and the official biography of this individual as it appeared in the State Department Register of April, 1948.

I suggest that not be displayed.

Senator TYDINGS. The Chair will hold it until after the hearing, and then we will have a short executive session if necessary.

The first name here is the last name, is it not, on that biography you have just given us?

Senator McCARTHY. Let me look at the copy.

Senator TYDINGS. The first name?

Senator McCARTHY. The first name is the last name.

All of this material, as I said, is being given for your executive consideration, as I do not desire to make his name public at this time for the reason stated above.

You will note from the police records that this man was arrested on September 8, 1943. The charge was sexual perversion and the police report states that he was known to hang out at the men's room at Lafayette Park in Washington.

This man is getting about \$12,000 a year now.

He was charged with disorderly conduct in connection with his perverted activities. I do not have the record of the disposition of this case available, but I am informed that he was required to post collateral of \$25 on this charge and forfeited collateral.

As I previously said, this man resigned from the State Department in 1948 and shortly thereafter became employed in one of the most sensitive agencies of our Government where he now holds an important and high-paying position. I am prepared to furnish the name of that agency for the executive consideration of this committee.

Senator TYDINGS. Senator McCarthy, you say it is one of the most sensitive agencies of ours? Is it the State Department?

Senator McCARTHY. It is the CIA.

Senator TYDINGS. He was in the State Department?

Senator McCARTHY. He was in the State Department, in 1948, and went from there to the CIA, that is the Central Intelligence Agency.

Senator TYDINGS. It is not under the State Department at the present time, is it?

Senator McCARTHY. Let us make this clear, so the wrong man will not be suspected: He is not one of the main officials in the CIA.

Senator TYDINGS. I understand that; but he was in the State Department, according to your testimony?

Senator McCARTHY. That is right.

Senator TYDINGS. He is not now in the State Department, but is over working in the CIA?

Senator McCARTHY. That is right, and at a salary of somewhere around ten or twelve thousand dollars a year, as I recall.

Furthermore, I have been informed that the files of the State Department and other investigative departments of the Government contain these and other facts concerning the homosexuality of this Federal employee.

In view of this man's criminal record, which I have just presented to the committee, and other information concerning his lack of moral fitness, I am at a loss to understand why he was allowed to resign from the State Department. I might say, in connection with that, it seems unusual to me, in that we have so many normal people, so many competent Americans, that we must employ so many very, very unusual men in Washington. It certainly gives the country an odd idea of the type of individuals who are running things down here.

Again referring to Mr. Peurifoy's recent testimony before the Senate Appropriations Committee, I wish to point out that Mr. Peurifoy informed that committee that he has experienced difficulty in having security risks fired from the Department. In his testimony, Mr. Peurifoy said that at one point he recommended the dismissal of 10 poor

security risks from the Department under the provisions of the McCarran rider but that his recommendations were overruled and only one of these men was fired.

He did state, I believe, the other nine were allowed to resign, I assume so they could take over some other Government jobs.

As I said earlier in this statement, I do not know why the individual who is the subject of my present case was allowed to resign; but I think it is the responsibility of this committee to find out the full facts concerning his resignation.

I also believe that the committee should immediately determine how this individual was able to stay in the Department for almost 5 years after he was arrested on a morals charge in Washington, D. C. I also think the committee should find out how he, after leaving the State Department, was able to get a top-salaried, important position in another sensitive Government agency. It should be of considerable interest to this committee to find out who sponsored this individual or who intervened in his behalf in both the State Department and his present place of employment.

I feel that this case is of sufficient importance for the committee to take immediate action.

Would the Chair like to wait until they bring the copies for the members of the committee, for the next case, or shall I proceed?

Senator TYNDERS. How long will it be, Senator?

Senator McCARRITY. About a minute.

Senator TYNDERS. We will wait.

(There was a short pause.)

Senator McCARRITY. Mr. Chairman, before these are handed to the press, I ask that these documents be marked "Exhibit 35."

Senator TYNDERS. All right, Senator, proceed.

Senator McCARRITY. Mr. Chairman, this is one of those so-called old cases, but it is very new in some respects. We find in this case, and the Chair's staff should check on this immediately—in this case you will find that the State Department's loyalty board has again picked up this case very recently, and again they have given a clean bill of health to this individual.

However, a week ago last Friday, the Civil Service Commission's appeals loyalty board, in this particular case, made what is known as a post-audit. In that post-audit the case was sent back to the State Department loyalty board, not only with the statement that they were dissatisfied with the results but with the recommendation that the State Department loyalty board that sat upon that case not be allowed to sit upon it again, but that a new board be convened.

So, I want to make it clear, when I talk about this man's danger as a security risk, that the Civil Service Commission has, as recently as a week ago last Friday, rather wholeheartedly agreed, and went so far as to say "We think you should have a different loyalty board sitting on this case next time."

This case is that of John Stewart Service.

This man is a Foreign Service officer of the Department of State and at the moment is in Calcutta, India, where he is helping determine the all-important policy of our Government toward India.

The name of John Stewart Service is not new to the men in the Government who must pass on a governmental employee's fitness as a security risk.

When Mr. Penrifoy testified before the Senate Appropriations Committee, he said that Service had been cleared four different times.

It is my understanding that the number has now risen to five and I earnestly request that this committee ascertain immediately if Service was not considered as a bad security risk by the loyalty appeal board of the Civil Service Commission, in a post-audit decision, handed down on March 3 of this year.

I understand that this Board returned the file of Mr. Service to the State Department with the report that they did not feel that they could give him clearance and requested that a new board be appointed for the consideration of this case.

To indicate to the committee the importance of this man's position as a security risk to the Government, I think it should be noted that he is one of the dozen top policy makers in the entire Department of State on far-eastern policy.

He is one of the small, potent group of "untouchables" who year after year formulate and carry out the plans for the Department of State and its dealings with foreign nations; particularly, those in the Far East.

The Communist affiliations of Service are well known.

His background is crystal clear.

He was a friend and associate of Frederick Vanderbilt Field, the Communist chairman of the editorial board of the infamous Amerasia.

Half of the editorial board of this magazine were pro-Communist members of the State Department and the committee is in possession of these names.

On June 6, 1945, the Federal Bureau of Investigation, after an exceedingly painstaking and careful investigation covering months, arrested Philip J. Jaffe, Kate Louise Mitchell, editor and coeditor of Amerasia; Andrew Roth, a lieutenant in the United States Naval Reserve stationed in Washington; Emmanuel Sigurd Larsen; and John Stewart Service, who were employees of the State Department—this is the same John S. Service to whom I have just referred and who is presently representing the State Department in Calcutta, India; also Mark Julius Gayn, a magazine writer of New York City, who is about to leave for Russia.

I might say, Mr. Chairman, that while I believe some of the members of the committee may be fully aware of the chronological record, I think it is important that I put in all the details for the record.

Senator TYDINGS. All right, go ahead.

Senator McCARTHY. They were arrested on charges of espionage in connection with the theft of the following Government records:

Classified documents from the State Department, including some top secret and confidential classification-----	300
Prepared by ONI-----	163
Prepared by MID-----	42
Prepared by OWI-----	58
From the files of the War Department-----	9

Now, some of the important documents picked up by the FBI at the time of the arrest were as follows, and I call this to the committee's attention.

First: One document marked "secret" and obviously originating in the Navy Department dealt with the schedule and targets for the bomb-

ing of Japan. This particular document was known to be in the possession of Philip Jaffe, one of the defendants, during the early spring of 1945 and before the program had been effected. That information in the hands of our enemies could have cost us many precious American lives.

Second: Another document, also marked "top secret" and likewise originating in the Navy Department, dealt with the disposition of the Japanese Fleet subsequent to the major naval battle of October 1944, and gave the location and class of each Japanese warship. What conceivable reason or excuse could there be for these people, or anyone else without authority, to have that information in their possession and at the same time claim they are entitled to it because of freedom of the press? That was the excuse they offered. They stole this document for no good purpose.

Third: Another document stolen from the Office of Postal and Telegraph Censorship was a secret report on the Far East and so stamped as to leave no doubt in anybody's mind that the mere possession of it by an unauthorized person was a clear violation of the Espionage Act. This was not an antiquated paper but of current and vital interest to our Government and the Nation's welfare.

Fourth: Another document stolen was from the Office of Military Intelligence and consisted of 22 pages containing information obtained from Japanese prisoners of war.

Fifth: Another stolen document, particularly illuminating and of present great importance to our policy in China, was a lengthy detailed report showing complete disposition of the units in the army of Chiang Kai-shek, where located, how placed, under whose command, naming the units, division by division, and showing their military strength.

Many of the stolen documents bear an imprint which reads as follows:

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 United States Code 31-32, as amended. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

Despite the very small circulation of approximately 1,700 copies of this magazine it had a large photo-copying department. According to Congressman Dondero, who sponsored the resolution for the investigation of the grand jury, this department was working through the night, into the small hours of morning, and even on Sundays. It could reproduce the stolen documents—and undoubtedly did—and distribute them into channels to serve subversive purposes, even into the clenched fists raised to destroy our Government.

In June 1944, Amerasia commenced attacks upon Joseph C. Grew, who had during his stay in the State Department rather vigorously opposed the clique which favored scuttling Chiang Kai-shek and allowing the Communist element in China to take over.

Larsen, one of the codefendants in this case, subsequently wrote a lengthy report on this matter. I would like to quote briefly from parts of that report.

Here is his quote:

Behind the now-famous State Department espionage case, involving the arrest of six persons of whom I was one, an arrest which shocked the Nation on June 7, 1945, is the story of a highly organized campaign to switch American policy in

the Far East from its long-established course to the Soviet line. It is a story which has never been told before in full. Many sensational, though little explained, developments such as the General Stilwell affair, the resignation of Undersecretary Joseph C. Grew and Ambassador Patrick Hurley and the emergence of a pro-Soviet bloc in the Far Eastern Division of the State Department, are interlaced with the case of the six, as the episode became known. * * *

It is the mysterious whitewash of the chief actors of the espionage case which the Congress has directed to the Hobbs committee to investigate. But from behind that whitewash there emerges the pattern of a major operation performed upon Uncle Sam without his being conscious of it. That operation vitally affects our main ramparts in the Pacific. In consequence of this operation General Marshall was sent on a foredoomed mission to China designed to promote Soviet expansion on our Asiatic frontier. It was a mission which could not but come to grief and which may yet bring untold sorrow to the American people.

Senator TYDINGS. Senator McCarthy, the report from which you are reading does not show whether or not you are still quoting Larsen, but I take it that you are.

Do you see the quotation marks?

Senator McCARTHY. I will tell the Chair when I finish the quote.

Senator TYDINGS. If you will do that, we can follow it better.

Senator McCARTHY. I will do that, sir.

How did it happen that the United States began to turn in 1944 upon its loyal ally, the Chiang Kai-shek Government, which had for 7 years fought Japan, and to assume the sponsorship of the rebel Communist regime which collaborated with the Japanese during the period of the Stalin-Hitler pact? How did it come to pass that Washington since 1944 has been seeking to foist Communist members upon the sole recognized and legitimate government of China, a maneuver equivalent to an attempt by a powerful China to introduce Earl Browder and William Z. Foster into key positions in the United States Government? How did it transpire that our top-ranking military leader, General Marshall, should have promoted an agreement in China under which American officers would be training and equipping rebel Chinese Communist units at the very time when they were ambushing our marines and when Communists the world over were waging a war of nerves upon the United States?

Whose was the hand which forced the sensational resignation of Under Secretary of State Joseph C. Grew and his replacement by Dean Acheson? And was the same hand responsible for driving Ambassador Patrick Hurley into a blind alley and retirement?

The Chair will notice the quotation marks there. That will indicate the end of that quotation.

In describing the arrest, Larsen had this to say about his arrival at the office of the United States Commissioner:

There I found myself sitting next to John Stewart Service, a leading figure in the pro-Soviet group in the China Section of the State Department, and to Lt. Andrew Roth, liaison officer between the Office of Naval Intelligence and the State Department, whom I also knew as an adherent of pro-Soviet policies. Both of them were arrested separately the same night in Washington.

Larsen then goes on to describe John Stewart Service, John P. Davies, Jr., and John Carter Vincent as the pro-Soviet group in the China Section whose views were reflected by Amerasia and whose members were in close touch with Jaffe and Roth. In connection with this, it will be remembered that John Service, as Stilwell's political adviser accompanied a highly secret military commission to Yenan. Upon the return of this mission, you will recall that Stilwell demanded that Chiang Kai-shek allow him to equip and arm some 300,000 Communists. Chiang Kai-shek objected on the grounds that this was part of a Soviet plot to build up the rebel forces to the extent that they would control China. Chiang Kai-shek promptly requested the recall of Stilwell and President Roosevelt wisely relieved Stilwell of his com-

mand. It was at this time that Service submitted his report No. 40 to the State Department, which according to Hurley, was a plan for the removal of support from the Chiang Kai-shek government with the end result that the Communists would take over.

The espionage cases apparently had their origin when a British Intelligence Unit called attention to material being published in Amerasia which was embarrassing its investigations.

Preliminary investigations conducted at that time by OSS disclosed classified State Department material in the possession of Jaffe and Mitchell. The FBI men then took over and reported that in the course of its quest it was found that John Stewart Service was in communication from China with Jaffe. The substance of some of Service's confidential messages to the State Department reached the offices of Amerasia in New York before they arrived in Washington. One of the papers found in Jaffe's possession was document No. 58, one of Service's secret reports, entitled "Generalissimo Chiang Kai-shek—Decline of his Prestige and Criticism of and Opposition to his Leadership."

In the course of the FBI investigation Amerasia was revealed as the center of a group of active and enthusiastic Communists or fellow travelers. To give you a better picture of Amerasia, it perhaps should be mentioned here that Owen Lattimore was formerly an editor of Amerasia, and Frederick Vanderbilt Field, a writer for the Daily Worker, was the magazine head. Mr. Jaffe incidentally was naturalized in 1923 and served as a contributing editor of the Defender, a monthly magazine of International Labor Defense, a Communist organization, in 1933. From 1934 to 1936 he had been a member of the editorial board of China Today, which was a publication of the pro-Soviet American Friends of the Chinese People. At that time he operated under the alias of J. W. Philips. Under the name of J. W. Philips, he presided in 1935 over a banquet at which Earl Browder was a speaker—speaking now of a man whom Service was in close contact while in China.

He also lectured at the Jefferson School of Social Science, an avowed Communist Party institution. He was also a member of the board of directors of the National Council of American Soviet Friendship. The New York Times, subsequent to his arrest, referred to him as an active supporter of pro-Communist and pro-Soviet movements for a number of years.

According to an article in Plain Talk magazine Jaffe has been a liberal contributor to pro-Soviet causes and that on one occasion he reserved two tables at a hotel banquet held to launch a pro-Communist China front in the name of "The Fifth Floor, 35 East Twelfth Street," which incidentally happens to be the National Headquarters of the Communist Party.

I realize that this history of Jaffe's activities is unnecessary for most of the members of this investigating body, but I feel that the record should be complete so that anyone who reads it will understand the background of the individual to whom his four codefendants had been delivering secret State and War Department material. His coeditor, Miss Mitchell, gave a party for John S. Service when he returned from China. Service had previously attended a special press conference held by the Institute of Pacific Relations, in which he supported the

position of the Chinese Communists. The committee will recall that the California committee cited the Institute of Pacific Relations as a Communist-front organization.

Larsen had this to say about his codefendants:

I knew Jaffe and his group as the editor of a magazine which had almost semiofficial standing among the left wingers in the State Department.

The night Kate Mitchell was arrested, she had in her possession, according to Congressman Dondero, a highly confidential document entitled "Plan of Battle Operation for Soldiers," a paper of such importance that Army officers were subject to court martial if they lost their copies.

Congressman Frank Fellows, a member of the Committee on the Judiciary which investigated the grand jury which failed to indict Service—incidentally, the committee's report shows that some of the members of the grand jury voted for his indictment; that is in the House report—wrote a minority report in which he stated:

The author of the resolution under which this committee assumed jurisdiction stood upon the floor of the House, "The President authorized the arrest to be made and the arrests were forbidden by the State Department."

Under Secretary Joseph C. Grew very urgently insisted upon a prosecution of the six individuals who were picked up by the FBI on charges of conspiracy to commit espionage. He thereupon immediately became a target in a campaign of vilification as the culprit in the case rather than the six who had been picked up by the FBI.

I wish the committee would keep in mind when we are talking about Service we are talking about the same Service whose loyalty report was sent back to the State Department on March 3, 10 days ago, with the request that they look it over again and appoint a new board this time. It is the same Service, so there are some men over in the Civil Service Commission loyalty board who certainly are loyalty conscious.

Lieutenant Roth wrote a series of articles for a New York paper and published a book in which he vigorously attacked Grew for his opposition to the Communist sympathizers in the State Department insofar as the far-eastern policy was concerned.

Under Secretary Grew, after a lifetime in the diplomatic service, resigned, and President Truman announced that Dean Acheson would take over the post of Under Secretary of State.

"During my conference with Mr. Jaffe in October," Larsen said, "he dropped a remark which one could never forget," and here is what Jaffe had to say: "Well, we've suffered a lot, but anyhow we got Grew out."

I might say that in the article in which I am quoting Larsen, the article in Plain Talk, he quotes Joe Davies as saying that one of the conditions of Acheson's taking over was the resignation of Grew. That is the quotation from Larsen's article in Plain Talk.

In regard to the legal handling of this case, the following is found in Plain Talk in an article by Larsen:

While public attention was largely focused upon extraneous issues, the Espionage case itself was following a special course behind the scenes. It appeared that Kate Mitchell—

one of the coeditors of Amerasia and one of the codefendants—

had an influential uncle in Buffalo, a reputable attorney by the name of James M. Mitchell, former president of the New York State Bar Association. Mr. Mitchell was a member of a very influential law firm in Buffalo, Kenneth, Cooke, Mitchell, Bass & Letchworth. The New York City correspondents of that law firm include the most redoubtable Col. Joseph M. Hartfield, extremely well known and extremely influential in Government circles in Washington. Col. Hartfield, who is regarded by some as one of the most powerful political lawyers in the country, made at least four trips to Washington where he called on top officials of the Department of Justice in the matter.

In that connection I would like to quote again from Congressman Dondero's talk on the House floor, in which he stated:

I have heretofore charged and reiterated now that the court before whom these cases were brought was not fully informed of the facts. A summary of the court proceedings has been furnished to me, which shows no evidence or exhibit obtained by the Federal Bureau of Investigation presented to the court.

This, incidentally, was not the FBI's case. They were not trying the case. They merely presented the evidence.

Jaffe's counsel told the court that Jaffe had no intention of harming the Government, and United States Attorney Hitchcock told the court there was no element of disloyalty in connection with the case. If that is the fact, may I respectfully ask what purpose did these individuals have in mind in stealing these particular files?

Had this same thing happened in certain other governments, these people would undoubtedly have been summarily shot, without a trial. Let us not forget we were still at war at that time with Germany and Japan when these files were stolen, and Jaffe, in whose possession they were found, had been for more than 10 years a leader and heavy financial supporter of Communist propaganda causes, according to the FBI.

As I stated above, after the grand jury failed to indict Mitchell, Service, and Roth, the House passed a resolution in which it directed the Committee on the Judiciary—

to make a thorough investigation of all the circumstances with respect to the disposition of the charges of espionage and the possession of documents stolen from secret Government files which were made by the Federal Bureau of Investigation "against Philip J. Jaffe, Kate L. Mitchell, John Stewart Service, Emmanuel Sigurd Larsen, Andrew Roth, and Mark Glyn," and to report to the House (or to the Clerk of the House, if the House is not in session) as soon as practicable during the present Congress, the results of its investigation, together with such recommendations as it deems necessary.

In this connection let me point this out to the committee. When I mentioned John Stewart Service in February of this year the State Department then prepared a press release, something to tell the people what had happened in this case, of course. In that they stated that John Stewart Service had been cleared four times. One of the times they refer to is the House investigation of the grand jury. They failed to tell the people that a number of the members of that grand jury, but not the required 12, voted for the indictment of Service. They failed to tell the public that that grand jury, as I will point out later, in effect has said, as I can show, that it is not a question of guilt that they were going into.

we are concerned with a question of whether or not the evidence was in such fashion that it could be presented to the court to prove the guilt.

Now, if that is what the State Department calls a clearance, when less than the 12 votes are present for indictment, then I say there is somebody who has a bad conception of the loyalty rules and regulations in that Department.

This committee then confirmed a report of a theft of a vast number of documents from the State, War, and Navy Departments, which ranged in classification all the way from top secret to confidential. This committee report indicates that a number of the members of the grand jury voted for the indictment of Service and Mitchell on the espionage charges, but that the required number of 12 did not so vote.

It will be noted that the committee was not appointed for the purpose of passing upon the guilt or innocence of the espionage suspects, but the committee was appointed for the purpose of investigating the way that the case was handled and to make recommendations. The committee did not in any way question the theft of the documents. Incidentally, the committee said nothing to indicate that they thought Service was not guilty. However, it seemed to place a great deal of stress upon the fact that the documents might not be admissible in evidence because of the method of obtaining them.

For example, on page 5 the report states as follows:

4. Many of the identifiable documents might have had their evidential value destroyed by reason of the possibility of the court's sustaining the defendants' motions attacking the warrants of arrest.

VI. Judicial decisions require scrupulous care to see that searches and seizures are reasonable. While search and seizure on arrest may be made without a search warrant, yet this is not so unless the warrant of arrest issued after "probable cause" of guilt had been established by legal evidence.

On page 6 of the report the following statement is made:

If the warrant for arrest was not issued on "probable cause" substantiated by facts, the evidence disclosed as a result of the search and seizure incident to the arrest based on such a warrant should be subject to suppression and, therefore, not usable as evidence of the crime for which the arrest was made.

I think this is extremely important in considering this Service case and considering any statements that he was cleared by this grand jury. The House committee, in effect, says that the reason they are not taking action, not against Service—they had no right to take action against Service—the House committee says:

The reason we are not taking action against the grand jury in this case is because, while in effect all of those documents were stolen—

some four or five hundred; I forget the number—

they were obtained in such a manner by the FBI, under the search warrant, that perhaps they could not be effectively used in convicting these men—

the six individuals who had stolen them,

Senator TYDINGS. We understand your point, Senator.

Senator McCARTHY. I want to make it very clear in the record. I am speaking not only for the committee but trying to make a very complete record in all these cases, Mr. Chairman.

While I have not seen any testimony of any of the grand jurors themselves, and do not know whether it is available or not, the above would seem to indicate that the committee felt that the grand jury was disturbed, not so much by the question of guilt or innocence of the defendants but by the question as to whether or not the guilt or innocence could be proven. They apparently felt that much of the material would not be admissible because of the method of search

and seizure. The following comment will be noted on page 7 of the committee report:

Most of the items seized at Jaffe's office were typewritten copies. Some of such copies were proved to have been typed in one of the Government departments. It may be fairly inferred that the originals of such copies were never removed but that copies were made at the department or agency where the original reposed.

Let me cite this for the benefit of the lawyers, especially, on the committee. Here is what the committee report says in accusing the grand jury. They say:

Most of the items seized at Jaffe's office were typewritten copies. Some of such copies were proved to have been typed in one of the Government departments. It may be fairly inferred that the originals of such copies were never removed but that copies were made at the department or agency where the original reposed.

This seems to make it very clear that the committee, for some unknown reason, felt that making copies of secret documents and then delivering the copies to unauthorized persons placed the crime in a different class than if they had delivered the originals. It is rather difficult to understand this reasoning, in view of the fact that photostats or copies of an important secret document would normally be of the same value to any enemy power as the original.

The committee further pointed out that an additional reason for not finding the grand jury at fault is because any of the six can still be further prosecuted on the charge of espionage. That, of course, is no longer true. The statute of limitations has now run. The majority report makes some excellent recommendations, which the Secretary of State might well read. I especially call his attention to recommendations 1, 2, and 3 on page 9, which read as follows:

1. That the head of every department and agency of our Government see to it that more—much more—care be exercised in personnel procurement. That all those considered for Government positions in every echelon be investigated so thoroughly as to insure that no one be employed unless absolute certainty has been attained that nothing in background, present attitude, or affiliations raises any reasonable doubt of loyalty and patriotic devotion to the United States of America.

That is very good advice for the Secretary of State if he will follow it.

2. That the watchword and motivating principle of Government employment must be: None but the best. For the fewer, the better, unless above question.

3. Again the recommendation of the House committee—

That each and every present employee who fails to measure up to the highest standard should be discharged. No house divided against itself can stand.

One of the members of the six-man committee, Congressman Hancock, was prevented by illness from participating in the report. Two of the members of the committee wrote dissenting opinions, which meant that the decision to absolve the grand jury of responsibility was made by a 3 to 2 decision.

There are other valuable recommendations made by that House committee, recommendations with which I do not think anyone can disagree.

I might say this: I am not criticizing the House committee for failing to recommend action against the grand jury. While I think their

reasoning, when they say some of the documents were only copies and therefore they do not have the same strength as the originals, is rather ridiculous, there were some competent lawyers on that House committee. I understand, and I can see where they would decide that even though the evidence was overwhelming to prove the guilt of these six individuals, if the evidence were not in such shape that it could be used in a court of law to convict under the circumstances, they could well have said "We will not recommend any action against the grand jury."

So that House committee, which was not considering the guilt of Service but considering whether or not the grand jury was competent, rendered a split decision, 3 to 2, and decided that they would not hold the grand jury liable in this case, and that is the type of clearance that the State Department refers to when they tell the country "This man was cleared four times."

Congressman Fellows, in his dissenting opinion, made the following statement:

Jaffe either took these documents himself, or his confederates took them for him. And two of the documents found were top secret, so marked and so designated. I can see no point in arguing that these papers may not have been of much value. The thieves thought they were. The Government agencies so adjudged them. And the facts show that the defendants could have had their choice of any documents they wished; they were given no protection so far as the State Department was concerned.

That is the end of Congressman Fellows' quotation. He was a member of the Un-American Activities Committee.

This transaction, or rather a series of transactions involved, embraces the unlawful removal of top secret, secret, confidential, and restricted files from the Department of State, in our National Government. This, Mr. Chairman, is a very serious offense. In time of war, this is a most serious offense. When war is in progress, or even in time of peace, it is of little or no concern whether the files removed were originals or copies; the fact that information of either or any classification was removed from the secret files in the Department of State and was delivered to any individual, or group of individuals, who had no lawful right to receive the same, is the essence of the offense.

I call the committee's attention to this. Here is where the majority went wrong, for whether they were copies or originals, the crime was the same:

When that very secret information was thus unlawfully revealed to others, no matter how the same was imparted to Mr. Jaffe, whether by an original, or by copy, or by any other method, the real damage has been done.

There should not be any attempt made in the report to either minimize or acquit anyone from the magnitude of the act or acts committed. The report filed appears to at least attempt to either minimize or completely justify some of the unlawful acts which were undoubtedly committed.

All of those who participated in any way in the removal, or attempted removal, of these documents from the Department of State, or who copied such reports and thereafter delivered such copies to Mr. Jaffe, or to any other person, not lawfully entitled to receive the same, should be prosecuted, and all those participating, in any degree, in the unlawful acts under investigation should be immediately discharged from their positions in our Government. The report should speak strongly and without any reservation upon that subject.

I might say, after this recommendation was made, Mr. Chairman, as the Chair knows, not only was John Service reinstated, after they got rid of Joe Grew, but he was placed subsequently in charge of promotion and placement of personnel in the Far Eastern Division, or some title such as that, so the State Department certainly did not take the

advice of either the majority or the minority opinion of that committee.

Again quoting from the minority opinion:

The questions here involved are so grave and the offenses so great that no effort should be made to protect or defend those who so offended, but the report should be made both firm and strong—to speak the truth—but to place the blame where the same rightfully belongs.

This is but a small portion of the pertinent background of Service, but certainly, beyond doubt, it forever excludes this man as a security risk, no matter what yardstick is used, and again may I say I congratulate the Civil Service Loyalty Appeals Board in this case, though not in some of the others we will bring up, for having the intelligence and guts to send this back and say that the State Department loyalty board who cleared this man did wrong, and the next time we don't want the same men sitting on the board, and I certainly hope that the State Department follows the advice of the Civil Service Loyalty Appeals Board.

Again we have a known associate and collaborator with Communists and pro-Communists, a man high in the State Department, consorting with admitted espionage agents, and I wish to say to this committee what I said on the floor of the Senate on February 20, 1950:

When Chiang Kai-shek was fighting our war, the State Department had in China a young man named John S. Service. His task, obviously, was not to work for the communization of China. Strangely, however, he sent official reports back to the State Department urging that we torpedo our ally Chiang Kai-shek and stating, in effect, that communism was the best hope of China.

Later this man—John Service—was picked up by the Federal Bureau of Investigation for turning over to the Communists secret State Department information. Strangely, however, he was never prosecuted. However, Joseph Grew, the Under Secretary of State, who insisted on his prosecution, was forced to resign. Two days after Grew's successor, Dean Acheson, took over as Under Secretary of State, this man John Service, who had been picked up by the FBI and who had previously urged that communism was the best hope of China, was not only reinstated in the State Department but promoted. And finally, under Acheson, placed in charge of all placements and promotions.

I might say I think the word "all" should not have been in that speech. I believe it was only in charge of placements and promotions in the far-eastern area.

Mr. Chairman, today this man, John S. Service, is a ranking officer in the policy-making group of "untouchables" on duty in Calcutta, India, one of the most strategically important listening posts in the world today, and since the fall of China the most important new front of the cold war.

Five times this man has been investigated as to his loyalty and his acceptance as a security risk to the Nation.

What possible reason could there have been for even a second investigation of his record?

He was not an acceptable security risk under Mr. Acheson's own "yardstick of loyalty" the day he entered the Government.

He is not a sound security risk today.

I am going to try to finish out a short one. I would like permission to finish it even if the bell does ring before I get through.

Senator TROXON. All right, Senator. We will give you the time.

Might I ask if you have an approximation of the amount of time you would like to have to finish this?

Senator McCARTHY. It will take some time on this, Mr. Chairman. Then I have a sizable number of names which I wish to present to the committee, not in the public record but some for the staff, now that a staff has been appointed. I cannot finish it between now and 12 o'clock.

Senator TYDINGOS. We will wait a little longer. Go ahead.

Senator McCARTHY. I might say that I am very grateful for the fact that I have been able to put my case on in the manner that I have been in the last 2 days. I want to thank the Senator very much.

Senator TYDINGOS. Senator McCarthy, of course we are going to reserve the right to ask you some questions. We are not doing it now because we do not want to interrupt you.

Senator McCARTHY. Absolutely, and I certainly will be here for any questions you want to ask.

If the Chair wants to ask questions about the last case—

Senator TYDINGOS. Inasmuch as we have let them all go by with no opportunity for interrogation, we will have to go back and fill in things we will want to know.

Senator McCARTHY. Very good.

I would like to mark these, Mr. Chairman, as exhibits 36, 37, 38—

Senator TYDINGOS. It has been suggested that you use the three initials of the subject in each case. Then there probably won't be any confusion.

Senator McCARTHY. Yes, I can do that.

Senator TYDINGOS. I think that will be a good way to handle it.

Senator McCARTHY. I have already marked these.

Senator TYDINGOS. Go ahead and leave them that way.

Senator McCARTHY. 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48.

Exhibits Nos. 36 to 48 I now offer as evidence in this case, if that is agreeable to the Chair.

Senator TYDINGOS. The exhibits will be printed at the appropriate place in the Senator's remarks.

The Department of State of the United States operates with thousands of employees and requires a tremendous budget which has aided materially in placing on the American people the greatest tax burden they have ever been called upon to bear.

All but a small handful of those employees are honest and loyal Americans. The State Department is their life work. They have given to it years of service, unquestioned loyalty; and they have served it with great pride.

In the far-flung places of the world, these loyal men and women have spent their lives and exercised all their ingenuity to give to their Department and their Government every possible bit of information and advice they thought useful.

Career employees of the State Department, by virtue of their long residence in every foreign country on the globe and their close association, and many times friendship, with citizens and officials of those countries, have had access to, have reported on, every phase of economic and political affairs in the nations to which they are attached.

These are the real "experts" of the State Department.

It is a tragedy when we find the advice and experiences of such outstandingly able employees stored in a multitude of steel filing cases and disregarded while the Department of State's closed corporation of "untouchables" call upon pro-Communist idealists, crackpots,

and, to put it mildly, "bad security risks" to advise them on American diplomatic policy.

The next case I wish to call to the attention of the committee is that of Prof. Frederick L. Schuman.

Dr. Schuman is on the faculty of Williams College and is a highly placed lecturer with the Department of State.

It is the function of Dr. Schuman to explain how to be better diplomats to veteran diplomats and career men of the State Department in its Division of Training Services.

Senator TYDINGS. I do not know this gentleman or anything about him. Might I ask you if he is an employee of the State Department?

Senator McCARTHY. He is one of the lecturers, as I will show you. His task has been to come in and lecture to young men sent out into foreign fields and tell them how they should be guided.

Senator TYDINGS. I understand that, but I do not know what his status is. Is he an employee or not an employee?

Senator McCARTHY. Do you mean does he get paid for that?

Senator TYDINGS. Both ways. Does he work for the State Department?

Senator McCARTHY. That, Mr. Chairman, is not a year-round job, I understand. He is listed, I believe, as a consultant. If you call the State Department and say "Is he working there?" if they check and find he made no lecture today, which he obviously didn't, they will undoubtedly tell you he is not working for the State Department. He is one of the lecturers.

Senator TYDINGS. How often does he lecture? Have you any idea? Do you know whether he is paid or not for those lectures?

Senator McCARTHY. I don't know. In fact, I don't think that is important.

Senator TYDINGS. We will find out. I thought maybe your record might have it.

Senator McCARTHY. I don't think it is a question of whether he is paid. It is the fact that this man is picked, of all the competent, outstanding Americans we have, to come and tell these young men who are going into the field how they should act and what they should do that is an unusual matter.

It is the function of Dr. Schuman to explain how to be better diplomats to veteran diplomats and career men of the State Department in its Division of Training Services. He is described by the State Department itself as one of a group of "experts on subjects of importance in diplomacy."

Appearing with Professor Schuman in the lecture program were Owen Lattimore and Dr. Edward C. Acheson, director of the School of Foreign Service at George Washington University and brother of Secretary of State Dean Acheson.

Let me make it clear that I am not referring to any one program in which all three of them appeared. I am referring to three men who were called in to make these lectures.

Dr. Schuman was formerly with the Federal Communications Commission, where he served under Mr. Goodman Watson, who was finally discharged by that department.

Dr. Schuman is one of the closest collaborators in and sponsors of Communist-front organizations in America.

He was affiliated with the National Council of the Arts, Sciences and Professions, which was denounced as a subversive organization by the House Committee on Un-American Activities. This is the organization under whose auspices was held the Cultural and Science Conference for World Peace at the Hotel Waldorf-Astoria in New York from March 25 to 29, 1949, and which, incidentally, was denounced by the Secretary—

Senator TYDINGOS. Which Secretary?

Senator McCARTHY. Secretary of State Acheson. If I can quote his exact words, I think he said it was "a sounding board for Russian propaganda."

This organization was denounced as an instrument of Soviet propaganda by the State Department.

Dr. Schuman's affiliations with the National Council of the Arts, Sciences and Professions are not casual. He was a member of its policy and program committee in 1948. To those who say many of these Communist-front connections have been at a time when we were friends with Russia, I call attention to the fact that there has been no break from even during the days of the Hitler-Stalin Pact right up until 1948 and 1949. You don't find any change whatsoever in their sponsorship of these Communist front organizations, and I might say that some individuals can come down and say "I didn't know about this organization; I didn't know anything about its aims," but not Dr. Schuman. When he belongs to the organizations I am going to give you, you can be sure he knows what he is doing. This is the man who lectures in the State Department.

He was a signer of a press release of the same organization on March 1, 1949. He was a member of the National Council of the Arts, Sciences and Professions for Wallace, according to the Daily Worker, August 18, 1948, page 7, and he again appeared as a sponsor, according to the Daily Worker on October 19, 1948, page 2.

Professor Schuman was a sponsor of the American Committee for the Protection of the Foreign Born, which was cited as subversive by the Attorney General, the House Committee on Un-American Activities, and the California Committee on Un-American Activities.

He was prominent in the affairs of the American Council on Soviet Relations, which has been cited by subversive by the Attorney General, the House Committee on Un-American Activities and the California Committee on Un-American Activities. He was a sponsor of the American League for Peace and Democracy, which has been cited by the same three official bodies as a communistic and subversive organization.

The American Russian Institute, which has also been the recipient of Professor Schuman's aid, has been cited as communistic and subversive by the Attorney General, the House Committee on Un-American Activities, and the California Committee on Un-American Activities.

The same adherence applies to the American Slav Congress, which the same three organizations have cited as subversive.

He sponsored the Civil Rights Congress, an organization termed subversive by the House Committee on Un-American Activities; and he was also affiliated with the Committee for Boycott Against Japanese Aggression, named communistic and subversive by the Attorney

General, the House Un-American Activities Committee, and the California Committee on Un-American Activities.

Professor Schuman lent his name and prestige to the activities of the Friends of the Soviet Union, which was cited by all three of the above as officially a communistic and subversive organization. The African Aid Committee was named subversive and communistic by the Attorney General, the House Un-American Activities Committee, and the California Un-American Activities Committee; and here again we have Professor Schuman as a sponsor. The same three agencies have declared subversive and communistic the National Conference of American Policy in China and the Far East. This is one he has been really active in. They called a conference under the auspices of the Committee for a Democratic Far Eastern Policy. Here again we have Professor Schuman lending aid and comfort to a subversive organization.

We could perhaps continue for hours in elaborating on the pro-Communist affiliations of this consultant to the small group of "untouchables" who determine, force through, and carry out the foreign policy of this country.

I have chosen at random some of the organizations, all pro-Communist in nature, with which this man has been affiliated.

Incidentally, when I talked about this man's activities as a lecturer, I hope I made it clear that that was one of his activities in the State Department. He is also a consultant, one of the authorities on far-eastern affairs, naturally. A most casual survey of these organizations will indicate that, if he is not a card-holding member of the Communist Party, the difference is so slight that it is unimportant.

Now, Mr. Chairman, I have before me the photostats of documents showing his connection with these organizations. In view of the fact that the Senate is in session, I am not going to take the Senators' time to read them.

Senator TYDINGS. They will be put in the record at this place as the Senator has marked them.

EXHIBIT 30

AMERICAN COMMITTEE FOR PROTECTION OF FOREIGN BORN,
New York 10, N. Y., February 8, 1940.

TESTIMONIAL TO ELLIS ISLAND HUNGER STRIKERS

CHARLES DOYLE—GERHART EISLER—IRVING POTASH—FERNAND C. SMITH—JOHN WILLIAMSON

Hotel McAlpin, New York City, March 3, 1940

DEAR FRIEND: We invite you to join with us in a testimonial dinner to be held at the McAlpin Hotel, New York City, on Thursday evening, March 3, 1940, for the five men who participated in a hunger strike on Ellis Island, during March 1948.

These five men—Charles Doyle, Gerhart Eisler, Irving Potash, Ferdinand Smith, and John Williamson—united in a hunger strike in order that the constitutional right to bail should not be lost to the American people.

As you will remember, people all over the country joined in demonstrations for them and the principle for which they so heroically were ready to give their lives. As a result, bail was granted by the courts.

We are holding this testimonial on the first anniversary of their great fight which is not yet won. Bail has been granted to Irving Potash, Ferdinand Smith, and John Williamson by the Immigration and Naturalization Service. But it is still being denied to Charles Doyle and Gerhart Eisler, although they are at this moment free on the original bail granted by the courts.

Therefore, the fight for ball must go on. This testimonial must demonstrate our determination to continue the defense of Doyle and Eisler and to carry on an effective campaign to defeat the Justice Department's deportation drive.

We hope that you will participate with us in this testimonial. Reservations are \$0 per plate. Reservations for tables of 10 are \$00.

Sincerely yours,

*Rev. JOHN W. DARR, Jr.,
Chairman, Board of Directors.*

EXHIBIT 37

CHINA AID COUNCIL,
AMERICAN LEAGUE FOR PEACE AND DEMOCRACY,
Champaign-Urbana Branch, June 11, 1938.

MISS JANE SWANHAUSER,
Chicago, Ill.

DEAR MISS SWANHAUSER: Since you give us the choice of day for Dr. Su, I will ask for Friday, June 24, or Saturday, June 25. I still leave it to you to decide which of these two days, since I feel it is possible some other branch may have spoken already for one of these two dates I named. Kindly write at once which date I may count upon and send me, first of all, any particulars about Dr. Su that I may use in publicity; also tell me if this trip is to raise money for I must pay \$15 that if I use a university hall and make any sort of collection. We have little hope of raising much here, as the bowl of rice drive is now on, but we feel that if Dr. Su can speak to the 3,000 students of the summer school who come, many of them from country regions, that they will carry the idea of boycott, etc., back to their homes and spread the idea. I am sure you will consider even this worth while. I shall not be able to do any advertising until I hear from you, so please write as soon as possible.

Sincerely,

ANNA H. RUBIO.

EXHIBIT 38

AFRICAN AID COMMITTEE,
New York 10, N. Y., January 20, 1938.

DEAR FRIEND: "We have but one appeal to make to you, our brothers abroad—your moral and financial support will highly be appreciated"—that is the message from leaders of the Nigerian workers recently shot down while striking for 80 cents a day pay.

A token contribution of \$200 has already been sent to these workers by our committee. We must send more. With your help, we can do so.

Even if you have already contributed to the African Aid Committee, we urge you to give again in this emergency.

And please help us in reaching others with this appeal by signing and returning the blank below.

Very truly yours,

W. E. B. DU BOIS, Chairman.

To Dr. W. E. B. Du Bois,

African Aid Committee:

I'll be glad to get others to help, too.

Send me materials for soliciting contributions among my friends and organizations in response to the appeal from the workers of Nigeria.

Name _____

Address _____

(Please sign and return if you can assist in this way.)

AFRICAN AID COMMITTEE SPONSORS

- Elisha Bailey, Panama
 Louise R. Herman, New York City
 Dr. Phillips Brooks, Brooklyn, N. Y.
 Peter B. Brown, Chicago, Ill.
 Louis E. Burnham, Birmingham, Ala.
 Hugh Bryson, San Francisco, Calif.
 Charles A. Collins, New York City
 Councilman Eugene P. Connolly, New York City
 Evelyn Cooper, Brooklyn, N. Y.
 Dr. Oliver C. Cox, Tuskegee Institute
 Blindley C. Cyrus, Chicago, Ill.
 Wendell P. Dubney, Cincinnati, Ohio.
 Councilman Benj. J. Davis, Jr., New York City
 E. A. Davis, Toronto, Canada
 Earl B. Dickerson, Chicago, Ill.
 Dean Dixon, New York City
 Dr. Arnold B. Donawa, New York City
 Aaron Douglas, Fisk University
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 Rev. Charles C. S. England, Brooklyn, N. Y.
 Howard Fast, New York City
 Frederick V. Field, New York City
 Elinor S. Gimbel, New York City
 Ben Gold, New York City
 Kumar Goshal, Brooklyn, N. Y.
 Shirley Graham, St. Albans, N. Y.
 Percy Greene, Jackson, Miss.
 Ewart Guinier, New York City.
 Dashiell Hammett, New York City
 William Harrison, Boston, Mass.
 Rev. Dr. Wm. P. Hayes, Newark, N. J.
 Donald Henderson, Philadelphia, Pa.
 Rev. Charles A. Hill, Detroit, Mich.
 Velma Hopkins, Winston-Salem, N. C.
 Rev. J. L. Horree, Chicago, Ill.
 Charles H. Houston, Washington, D. C.
 Charles P. Howard, Des Moines, Iowa
 Rev. Kenneth de P. Hughes, Cambridge, Mass.
 Langston Hughes, New York City
 Dr. W. A. Huntom, Brooklyn, N. Y.
 Ada B. Jackson, Brooklyn, N. Y.
 Luther P. Jackson, Virginia State College
 David Jenkins, California Labor School
 Rev. C. Asapana Johnson, Staten Island, N. Y.
 Dr. R. O. Johnson, Atlanta, Ga.
 Albert E. Kahn, Croton-on-Hudson, N. Y.
 Rockwell Kent, Au Sable Forks, N. Y.
- John Howard Lawson, San Fernando, Calif.
 Ray Lev, New York City
 Dorothy C. Lyman, Philadelphia, Pa.
 Albert Maltz, Los Angeles, Calif.
 Dr. Cecil Marquez, New York City
 George Marshall, New York City
 Larkin Marshall, Macon, Ga.
 Dr. Benjamin E. Mays, Morehouse College
 Rev. Jack R. McMichael, New York City
 John T. McManus, New York City
 Rev. Wm. Howard Mellish, Brooklyn, N. Y.
 Herbert T. Miller, Brooklyn, N. Y.
 Willard Motley, Chicago, Ill.
 Rev. Chas. C. Moulton, Panama
 Capt. Hugh Mulzac, Jamacia, N. Y.
 George B. Murphy, Jr., New York City
 Estelle Massey Osborne, New York City
 Rev. George L. Payne, Boston, Mass.
 Father Clarence Parker, Chicago, Ill.
 William L. Patterson, New York City
 Dr. H. T. Penn, Roanoke, Va.
 Dr. Charles A. Petrolini, New York City
 Martin Popper, New York City
 Eslanda G. Robeson, Enfield, Conn.
 Paul Robeson, New York City
 Dr. E. J. Robinson, Los Angeles, Calif.
 Rev. James H. Robinson, New York City
 Therese L. Robinson, Washington, D. C.
 O. John Rogge, New York City
 Paul Schmutz, San Francisco, Calif.
 Prof. Frederick L. Schuman, Williams-town, Mass.
 Mrs. Andrew W. Simkins, Columbia, S. C.
 Ferdinand C. Smith, New York City
 Rev. Stephen G. Spottswood, Washington, D. C.
 Max Steinberg, New York City
 Dr. Bernhard J. Stern, New York City
 Ella P. Stewart, Toledo, Ohio
 Deems Taylor, New York City
 Rebecca Stiles Taylor, Chicago, Ill.
 Alma Vessels, New York City
 Henry A. Wallace, South Salem, N. Y.
 Bishop Wm. J. Walls, Chicago, Ill.
 Dr. Edward K. Weaver, Texas College
 Dr. Gene Weltfish, New York City
 Dr. Charles H. Wesley, Wilberforce, Ohio
 Lindsay White, New York City
 Dr. J. Finley Wilson, Washington, D. C.

EXHIBIT 30

CALL TO A NATIONAL CONFERENCE ON AMERICAN POLICY IN CHINA AND THE FAR EAST

Friday, Saturday, and Sunday, January 23-25, 1948, Hotel Roosevelt, New York City

National Chairmen: T. A. Bissell, Dr. W. E. B. Dubois, Hon. Stanley M. Isaacs; Organizing Secretary Stephen H. Fritchman

"It is my considered opinion that future generations will regard the betrayal of the Chinese people by the American Government in the Truman administration as one of the greatest errors ever made in American diplomacy."—Brig. Gen. Evans F. Carlson, United States Marine Corps.

The three undersigned national chairmen call upon all interested organizations to send delegates and observers to a national conference on American policy in China and the Far East to be held in New York City, January 23, 24, and 25, 1948.

The purposes of the conference are to discuss and plan action on—

1. The halting of United States intervention in China and other friendly far eastern countries.
2. The carrying out of the democratic decisions of the Potsdam agreement and the Moscow conference regarding policies in Japan and Korea.
3. The relationship between far eastern policy and domestic well-being.
4. A program to achieve a genuinely democratic far eastern policy which alone can give any hope of peace.
5. Rallying all democratic Americans to support of such a program.

We Americans have always felt a pride and strength in our heritage as a democratic people. Our Government's present far eastern policy violates our most cherished American political beliefs and threatens our own democracy.

In China, the largest nation in earth, United States policy, through military, financial, and political intervention, is aiding in the imposition of a backward, corrupt and violently antidemocratic regime which the vast majority of the Chinese people themselves repudiate. The most reactionary elements in the United States are now scheming for further intervention on a scale which will subject the Chinese people to an autocracy dependent upon outside financial and military help—that is the United States—for its continued existence. This American intervention also violates the Charter of the United Nations.

In Japan, many observers, Americans and others, are deeply disturbed over the practically unilateral American occupation which seems less concerned about eradicating the reactionary elements responsible for Pearl Harbor than is now harnessing these elements to the dangerous ambitions of an antidemocratic American group.

In the Philippines, the American Government is giving energetic support to Filipino collaborationists and other betrayers of their country's independence; and by imposing upon the Philippines economic conditions inhibiting to their development as a free nation, is making a mockery of Philippine independence.

In Indonesia, the people struggling against their Dutch oppressors have been forsaken by an American policy evidently geared to safeguarding the status quo rather than to giving encouragement to those seeking freedom and a rising standard of living.

In southern Korea, where American occupation forces now rule over people who were our allies in the war, economic chaos and political fascism are the fruits of American policy.

The American democratic heritage and destiny is now suffering what may prove irrevocable damage from the present far-eastern policy of our Government. This policy is costing us taxpayers billions of futile dollars; it is postponing the healthy trans-Pacific trade we should be enjoying; it is creating conditions that contribute toward an economic depression here at home; it is fast making enemies of the millions of Asia who are our natural allies in the desire for a peaceful and democratic world; it is engendering international frictions which can easily lead us into another war.

It is time for democratic American citizens to act. In addition to organizational delegates and observers we invite individuals to attend as visitors.

This conference will bring together citizens who wish to secure the facts and understand the issues related to far eastern policy, and to discuss the means of

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effective citizenship action on that policy. The conference will assist the delegates and individuals to carry back to their organizations and communities the facts, insights, convictions, and suggested methods of action necessary at this time. All decisions of the conference will come out of floor discussion and, we hope, will be implemented in whole or in part, by each organization in its own way.

T. A. BISSON,
W. E. B. DUBoIS,
STANLEY M. ISAACS,
National Chairmen.

PROGRAM

Friday, January 23

- 8 p. m.----- Conference mass meeting, City Center Casino, 135 West Fifty-fifth Street;
Speakers: Anna Louise Strong, first hand report on the Far East, just returned from 1½ years in China and northern Korea; Dr. James G. Endicott, Toronto, recently returned China-born missionary for the United Church of Canada; Dr. Rexford Guy Tugwell.

Saturday, January 24

- 9-10 a. m.----- Registration of delegates and observers, and meeting of sponsors.
10-12 m.----- Election of conference committee.
Delegates' hour: Opportunity to present questions to experts on the Far East.
Keynote address: Hugh Bryson, San Francisco.
What is the United States doing in China?¹
8-10:30 p. m.----- What is the United States doing in colonial areas?¹
Dramatic presentation by Theater Workshop.

Sunday, January 25

- 9:30-10:15 a. m.----- Memorial service for Brig. Gen. Evans F. Carlson, United States Marine Corps; address by Michael Straight, publisher, New Republic.
10:15-12 m.----- What is the United States doing in Japan and Korea?¹
2-4:30 p. m.----- Report of conference committee; adoption of action program.
Closing address: Paul Robeson.

Adjournment.

Additional conference speakers include: Hugh DeLacy, Israel Epstein, Mark Gaynor, and the three cochairmen, Dr. W. E. B. DuBois, T. A. Bisson, and Stanley M. Isaacs. Further speakers will be announced.

SPONSORS

(Partial listing)

Organizations are listed for the purpose of identification only. Such listing does not indicate sponsorship of the conference by these organizations

- Louis Adamic, writer
Charlotte Adams, editor, Look magazine
Dr. Thomas Addis, Leland Stanford University.
Emily G. Balch, Nobel Peace Prize, 1946
C. B. Baldwin, executive vice-chairman, Progressive Citizens of America
S. L. M. Barlow, composer
John W. Bicknell, writer on the Far East
Charles Bid'en, executive secretary, American Committee for Free Indonesia
Dr. Algernon Black, executive leader, Ethical Culture Society
- Dr. Derk Bodde, University of Pennsylvania
Dr. Dwight Bradley, consulting psychologist
Joseph Brainen, chairman, American Committee of Jewish Writers, Artists, and Scientists
Harry Bridges, president, International Longshoremen's and Warehousemen's Union
Dr. Charlotte Hawkins Brown, president, Palmer Memorial Institute
Hugh Bryson, president, National Union Marine Cooks and Stewards
Henrietta Buckmaster, writer
Angus Cameron, editor-in-chief, Little Brown & Co.

¹The major portion of these sessions will be devoted to delegates' discussions of positive action on far eastern policy.

- Chu Tong, editor, China Daily News
 Dr. Rufus E. Clement, president, Atlanta University
 Rev. Donald B. Cloward, executive secretary, Council on Christian Social Progress
 Dr. Clark Walker Cummings, executive secretary, Metropolitan Church Federation, St. Louis, Mo.
 Dr. H. W. L. Dana, educator
 Rev. John W. Darr, Jr., executive secretary, United Christian Council for Democracy
 Frank Marshall Davis, assistant editor, Chicago Star
 Hugh DeLacy, former United States Congressman
 Mrs. Elliott Dexter, Encino, Calif.
 John T. Doles, Jr., lawyer
 Dorothy Doyle, nurse, recently with UNRRA in China
 Muriel Draper, executive vice president, Congress of American Women
 Barrows Dunham, writer
 James Durkin, president, United Office and Professional Workers of America
 Dr. Henry Pratt Fairchild, New York University
 Frederick V. Field, writer
 Olga Field, writer on the Far East
 Dorothy Canfield Fisher, writer
 Dr. Albert L. Franzke, University of Washington
 Ben Gold, president, International Fur and Leather Workers Union
 Ira Gollobin, chairman, American Veterans of the Philippine Campaign
 Carlton B. Goodlett, president, San Francisco National Association for the Advancement of Colored People
 Kumar Goshal, writer on India
 Edmonia Grant, Associate Administrator, Southern Conference for Human Welfare
 Dr. Ralph H. Gundlach, University of Washington
 Uta Hagen, actress
 Dr. Calvin S. Hall, Western Reserve University
 Dr. S. Ralph Harlow, Smith College
 William Harrison, associate editor, Boston Chronicle
 Dr. Auguste Haydon, University of Chicago, Divinity School
 Charlotte Honig, businesswoman
 Leo Huberman, writer
 Harold Ingalls, executive secretary, Student Division, National YMCA
 Philip Jaffe, publisher, Amerasia Associates
 Dr. Rufus M. Jones, Haverford College
 Philip O. Keeney, libraries officer, Supreme Command Allied Powers in Japan
 Dr. J. Spencer Kennard, educator, former Baptist missionary to Japan and China
 Dr. Raymond Kennedy, Yale University
 Morris E. Kriensky, artist
 Dr. John H. Lathrop, Church of the Saviour, Brooklyn
 Richard E. Lauterbach, editor, the Magazine '47
 Harold Leventhal, chairman, American Friends of India
 Dr. Alain Locke, Howard University
 Rev. Jack R. McMichael, executive secretary, Methodist Federation for Social Action
 Albert Maltz, writer
 Dr. William Mandel, writer
 George Marshall, chairman, board of directors, Civil Rights Congress
 Dr. Kirkley F. Mather, Harvard University
 Dr. H. T. Medford, secretary, Foreign Missions, A. M. E. Zion Church
 Dr. Clyde R. Miller, Teachers College, Columbia University
 Kate L. Mitchell, writer on the Far East
 Bernard J. Mooney, upstate New York, regional director, United Office and Professional Workers of America
 Rev. Richard Morford, executive director, National Council of American-Soviet Friendship
 Bishop Arthur W. Moulton, Protestant Episcopal Church
 Grant W. Oakes, president, Farm Equipment Workers Union
 Patrick H. O'Brien, judge of probate, Wayne County, Mich.
 Mrs. Jessie L. O'Connor, Fort Worth, Tex.
 Dr. Ernest Osborne, Columbia University
 Bishop Edward Parsons, Protestant Episcopal Church
 Robert Payne, writer on the Far East
 Dr. Arthur Upham Pope, chancellor, Asia Institute
 Martin Popper, board of directors, National Lawyer's Guild
 Dr. Edwin McNeill Poteat, president, Colgate-Rochester Divinity School
 Phelps Putman, poet
 Dr. Walter Rautenkrauss, educator
 Dr. Raymond Robins, social economist
 Holland Roberts, director, California Labor School
 Paul Robeson, concert singer
 Nathaniel L. Rock, lawyer
 Sidney Roger, radio commentator, CIO
 Edward Rohrbough, writer on the Far East
 Walter Rosenblum, president, Photo League

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Maud Russell, executive director, Committee for a Democratic Far Eastern Policy
Rose Russell, legislative director, Teachers Union
Dr. W. Carson Ryan, University of North Carolina
Dr. Frederick L. Schuman, Williams College
Arthur Schutzer, New York City
Dr. Vida D. Scudder, Wellesley College
Bernard Seeman, writer on the Far East
Joseph P. Selly, president, American Communications Association
Rev. Guy Emery Shipley, editor, The Churchman
Elle Siegmeister, composer
Harold G. Slingerland, chairman, Champaign County American Labor Party
Dr. Maud Slye, University of Chicago
Agnes Smedley, writer on the Far East
Christine B. Smith, president, National Association of Colored Women
Ferdinand C. Smith, secretary, national Maritime Union
Mrs. Edgar Snow, writer on the Far East
Johannes Steel, publisher, Johannes Steel Newsletter
Dr. Harry C. Steinmetz, San Diego State College

Dr. Bernhard J. Stern, Columbia University
Martha Dodd Stern, writer
Aunalee Stewart, president, U. S. Section, Woman's International League for Peace and Freedom
Paul Strand, artist
Frank B. Taylor, editor, Random House
Dr. Donald G. Tewksbury, Columbia University
Dr. Rexford G. Tugwell, University of Chicago
Jeanette Turner, executive secretary, New York City Consumer Council
Olive Van Horn, secretary for administrative affairs, National YWCA
Rev. Edgar M. Wahlberg, formerly with UNRRA in China
Dr. Harry F. Ward, writer
Charles Weidman, dancer
Dr. Gene Weltfish, Columbia University
Dr. Charles H. Wesley, president, Witterforce State College
Howard Willard, artist
Dr. James M. Williams, Hobart College
Ella Winter, writer
Justice James H. Wolfe, Supreme Court, State of Utah
Richard Yaffe, writer
Victor A. Yakhontoff, writer
William Zorach, sculptor

We urge immediate registration.

CONFERENCE APPLICATION

Name _____ Address _____
I am an individual visitor _____ Organizational delegate _____ Appointed observer _____
Organization represented _____
Indicate whether: National _____ State _____ Local _____
Enclosed is \$_____ for registration fee (\$3 per delegate)

Admission to single sessions (morning, afternoon, or evening) \$1
Address requests for housing accommodations to organizing secretary
Contributions in support of the conference are invited

Address all communications to: The Organizing Secretary, Far Eastern Conference, 111 West Forty-second Street, New York 18, N. Y., LOngacre 4-3948.

EXHIBIT 40

URGENT SUMMONS TO A CONGRESS ON CIVIL RIGHTS IN DETROIT, APRIL 27 AND 28, 1946, TO ORGANIZE AN OFFENSIVE AGAINST THE RISING FASCIST AGGRESSION IN THE UNITED STATES

Today's drive to subvert our democratic liberties is well-organized, well-heeled, insidious. It presents an emergency that emergency measures alone can meet.

The great war against fascism is won, but the victory is far from secure. Only a coalition of all the forces of the people, through united action, can prevent its destruction.

Here's what is happening in the United States:

PROGRAM

Congress on civil rights, Detroit, Mich., April 27 and 28, 1946

Saturday morning, First Congregational Church (Woodward Avenue at Forest):
11 a. m., registration.
12 noon, opening luncheon.

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Saturday afternoon, 2 p. m. to 6 p. m., Macabees Auditorium (Woodward Avenue at Putnum) :

Defense Against the Enemy Within—Presentation of key issues.

Protect Minorities for America's Defense—The fight against police terror in Columbia, Tenn., the Freeport killings, and other widespread violation of civil rights; results of campaigns on these cases.

Labor's Rights—First Line of Defense—The fight against the Case bill, police violence, the injunction menace.

Crush America's Fifth Column—The fight against the Rankin committee, Gerald L. K. Smith, the KKK, Bilbo and all domestic fascists.

The Menace of anti-Semitism and Jim Crow—The fight against terrorism, and discrimination in employment, housing, and education.

Initial report of resolutions committee; report of credentials committee; election of campaigns coordination committee.

Saturday evening, 8:30 p. m., reception for delegates by Michigan Civil Rights Federation.

Sunday, 9:30 a. m. to 3:30 p. m.:

Report of campaigns coordination committee. Discussion of proposals.

Luncheon recess.

Continued discussion and action on committee report.

Final report of resolutions committee.

Proposals for carrying out conference decisions.

Conference Headquarters: 600 Hammond Building, Fort and Woodward Avenues, Detroit. Telephone: Cadillac 6278.

Registration: At First Congregational Church from 11 a. m. to 2 p. m. on Saturday. After 2 p. m., at Macabees auditorium. Registration fee: \$2 for each organization delegate, or individual.

Representation: Two representatives from each organization; interested individuals.

Conference luncheon: Saturday noon, at First Congressional Church. Reservations may be made at \$1.50 per plate. Please make reservations in advance. Luncheon speakers to be announced.

Accommodations: Reservations for hotel accommodations must be made in advance because of housing difficulties. Address all requests for reservations to New York headquarters of Congress on Civil Rights. For further details, additional copies of this call and general inquiry, send all communications to:

Congress on Civil Rights, 205 East Forty-second Street, New York 17, N. Y.

Reactionary forces, based on war-rich monopolies, the die-hard union breakers, red-baiters, and race haters, command the largest surviving fifth column in the world. They are turning the weapons and methods of fascism against the American people. They are prepared to destroy our democracy, even to the establishment of outright fascism.

Their program consists of smashing unions through strike provocation, injunctions, and legislation like the Case bill that would wipe out labor gains of a quarter of a century; spreading discrimination and hatred against minorities through violence against Negro civilians and veterans, particularly in the South, anti-Semitism and destruction of FEPC; maintaining the poll-tax system to disfranchise 10,000,000 Negro and white Americans; sapping the strength of labor and other organizations by using Hitler's prime weapon of red baiting, especially through revival of the Dies committee under Rankin.

This reactionary program has met the growing organized resistance of the labor movement and other groups and individuals who believe firmly in democratic liberties.

The popular response to such campaigns as FEPC and poll-tax repeal shows that the people will organize. Veterans are fighting discrimination and challenging the pro-Fascist press. Committees everywhere have sprung up to defend victims of police and lynch violence; the renewed activity of such Fascist spokesmen as Gerald L. K. Smith has brought widespread, fighting protests.

Labor has sharply stiffened the defense of its civil rights, and people in all walks of life are rallying with enthusiasm to labor's defense.

Now more than ever the united action of the democratic forces is needed to enable each organization and individual to exert maximum effectiveness in the realization of a common program. The elaboration of a campaign or series of

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campaigns, coordinated in detail and Nation-wide in scope, is therefore essential to meet the challenges that today confront us all:

To safeguard and extend all democratic rights, especially the rights of labor, and of racial, political, religious and national minorities;

To combat all forms of discrimination against these groups;

To defend and aid victims of the fight for these rights;

To fight against domestic fascism and all its forms—Jim Crow, anti-Semitism, red-baiting, discrimination against the foreign born.

To these ends, we call upon civil rights, labor, religious, interracial, and other organizations and individuals to attend a congress on civil rights in Detroit on April 27 and 28, 1946, to formulate and agree upon a national program to defeat the offensive of reactionary and Fascist forces, and to consider all steps required to assure the maximum unification of effort to advance that program.

INITIATING COMMITTEE

Zlatko Balokovic, vice president, American Slav Congress
Elmer A. Benson, chairman, executive council, National Citizens PAC
Mary McLeod Bethune
Dr. Charlotte Hawkins Brown, president, Palmer Institute.
Col. Evans Carlson
Edward Chodorov
Norman Corwin
Julius Emspak, secretary-treasurer, United Electric, Radio and Machine Workers, CIO
Jess Fletcher, vice president, Building Service Employees International Union, AFL
Clark Foreman, president, Southern Conference for Human Welfare
Carey McWilliams
Rep. Vito Marcantonio, president, In-

ternational Labor Defense
George Marshall, chairman, National Federation Constitutional Liberties
Dr. Kirtley F. Mather
Dr. Benjamin E. Mays, president, Morehouse College
Bishop Edward L. Parsons
James G. Patton, president, National Farmers Union
Dr. Edwin McNeill Poteat, president, Colgate-Rochester Divinity School
Paul Robeson
Edward G. Robinson
Wesley E. Sharer, co-chairman, Chicago Civil Liberties Committee
Prof. John F. Shepard, president, Michigan Civil Rights Federation
Johannes Steel
Donald Ogden Stewart
Milton Kaufman, executive secretary

SPONSORS

(Partial list)

Louis Adamic
Meyer Adelman, district director, United Steelworkers, Milwaukee
Raymond Pace Alexander
James Egert Allen, president, New York State Conference NAACP Branches
Rep. Charles W. Anderson, Kentucky State Legislature
Judge William A. Anderson, Minneapolis
Susan B. Anthony II, secretary, Congress of American Women
Elmer J. F. Arndt, chairman, Commission Christian Social Action, Evangelical and Reformed Church
Bishop James C. Baker, Los Angeles
C. B. Baldwin, executive vice president, National Citizens PAC
Howard Bay, president, United Scenic Artists Local 820
W. A. Bell, president, Miles College
Lewis Alan Berne, president, Federation of Architects, Engineers, Chemists and Technicians
Warren K. Billings

Rev. Shelton Hale Bishop, New York City
Judge Jane M. Bolin, New York City
H. D. Bollinger, secretary, Department of Student Work, Board of Education, Methodist Church
Rev. W. Russel Bowie
Louis E. Burnham, organizing secretary, Southern Negro Youth Congress
D. A. Cameron, editor, Little, Brown & Co.
Councilman Charles N. Carr, Cleveland
Del Castle, Ship Scalers Union, local 589
Rose Mae Catchings, president, Southern Negro Youth Congress
Prof. Emmanuel Chapman, chairman, Commission of Catholics for Human Rights
Dr. Rufus E. Clement, president, Atlanta University
Dean Nick Comfort, Oklahoma School of Religion
Philip M. Connelly, secretary, Los Angeles CIO Council

- Councilman Eugene P. Connolly, New York City
- A. A. Couch, president, Iowa Federation of Labor
- Julius Crane, vice president, United Shoe Workers
- George W. Crockett, Jr., executive director, Fair Practices Committee, UAW-CIO
- Joseph Curran, president, National Maritime Union
- Councilman Benjamin J. Davis, Jr., New York City
- Adolph Dehn
- Rep. Hugh De Lacy, Washington
- Hon. Earl B. Dickerson, president, National Bar Association
- Catherine Dunham
- Roscoe Dunjee
- N. H. Eagle, director of organization, United Rubber Workers
- Prof. R. D. Field, Tulane University
- Lion Feuchtwanger
- Elizabeth Gurley Flynn
- Eleanor Fowler, secretary, Congress of Women's Auxiliaries
- Stephen H. Fritchman, editor, Christian Register
- Leo Gallagher, Los Angeles
- John Garfield
- Sander Genis, manager, Twin City Joint Board, Amalgamated Clothing Workers
- Elinor S. Gimbel, New York City
- Leonard Golditch, secretary, National Committee to Combat Anti-Semitism
- Rabbi Solomon Goldman, Chicago
- L. A. Gossett, secretary, Georgia State CIO Council
- Bishop J. A. Gregg, Kansas City, Kans.
- Abner Green, secretary, American Commission for Protection of Foreign Born
- Mel J. Heinritz, secretary, Wisconsin State CIO Council
- Donald Henderson, president, Food, Tobacco, Agricultural and Allied Workers
- Rev. Charles A. Hill, president, Detroit NAACP
- James A. Hinton, president, State Conference of NAACP for South Carolina
- Langston Hughes
- Rev. Kenneth deP. Hughes, president, Boston NAACP
- Horace Hudson, local president, United Steel Workers, Birmingham
- Rabbi Ferdinand M. Isserman, chairman, Justice and Peace Committee, Central Conference of American Rabbis
- Dr. D. V. Jemison, president, National Baptist Convention
- Dr. Rufus M. Jones, Haverford, Pa.
- J. F. Jurich, president, International Fishermen and Allied Workers
- Millard Lampell
- Ring W. Lardner, Jr.
- Kenneth Leslie, editor, The Protestant
- A. A. Liveright, executive director, American Council on Race Relations
- Arthur Le Sueur, Duluth, Minn.
- Bishop Francis J. McConnell
- Prof. Edward W. McFarland, president, Metropolitan Council FEP, Detroit
- O. E. McKalne, secretary, Progressive Democratic Party, South Carolina
- Rev. Jack R. McMichael, secretary, Methodist Federation for Social Service
- Herbert March, district director, United Packinghouse Workers, Chicago
- Prof. F. O. Matthieson, Harvard University
- Samuel D. Menin, Denver, Colo.
- Lewis Merrill, president, United Office and Professional Workers
- Saul Mills, secretary, New York CIO Council
- Dr. George S. Mitchell, director, Veterans Service, Southern Regional Council
- J. P. Mooney, organizer, Textile Workers Union, Bessemer, Ala.
- Morris Muster, president, United Furniture Workers
- Tom Nell, executive secretary, Servicemen's and Veterans' Welfare Committee, UERWMA
- Josephine Nordstrand, secretary, Wisconsin State Conference on Social Legislation
- Grant W. Oakes, president, United Farm Equipment and Metal Workers
- Rep. Ellis E. Patterson, California
- Boyd E. Payton, president, Virginia State CIO Council
- Dr. Charles A. Petoni, chairman, West Indies National Council
- Terry Pettus, president, Washington State CIO-PAC
- Irving Potash, manager, Furriers Joint Council, New York
- Rep. Adam Clayton Powell, Jr., New York City
- Lee Pressman, general counsel, Congressman of Industrial Organizations
- Councilman Michael J. Quill, president, Transport Workers Union
- Thomas C. Rabbit, Washington State senator
- Merlyn Rathborne, secretary, California State CIO Council
- Prof. Walter Rautenstrauch, Columbia University
- Earl Robinson
- Reid Robinson, president, International Union, Mine, Mill and Smelter Workers
- Dorothy K. Roosevelt, executive secretary, Michigan Citizens Committee
- Rep. William A. Rowan, Illinois
- Rep. Charles R. Savage, Washington

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William Jay Schleffelin	Senator Glen H. Taylor, Idaho
Prof. A. M. Schlesinger, Harvard University	Rep. Donald C. Telgrund, Illinois State Legislature
Artur Schnabel	W. E. Tucker, president, Local 157, International Union of Brewery Workers, Dallas, Tex.
Prof. Frederick L. Schuman, Williams College	Prof. Ralph E. Wager, Emory University
Joseph P. Selly, president, American Communications Association	Dr. Harry F. Ward
Henry R. Silberman, executive director, New England Division, American Jewish Congress	Courtney D. Ward, secretary, Painters District Council, Cleveland
Charles N. Smolikoff, director, Florida State CIO Council	Max Weber
Herbert K. Sorrell, president, Conference of Studio Unions, AFL	Lulu B. White, secretary, Houston, Tex., NAACP
Christina Stead	Rev. Claude C. Williams, director, People's Institute of Applied Religion
Max Nein, secretary, Cincinnati CIO Council	James H. Wolfe, Justice, State Supreme Court, Utah
A. E. Stevenson, secretary, Cleveland CIO Council	Bishop R. R. Wright, Jr., secretary, Fraternal Council of Negro Churches
Prof. Dirk J. Struik, Massachusetts Institute of Technology	Dr. Max Yergan, president, National Negro Congress
Glenn J. Talbott, president, North Dakota Farmers Union	Jack Zeller, educational director, UAW-CIO

Note.—Organizations listed for identification only.

EXHIBIT 41

APRIL 7, 1948.

Schuman signs this.

A STATEMENT OF AMERICAN EDUCATORS

As American educators, we are much disturbed by one of the byproducts of the Presidential "loyalty order"—the listing of a number of schools as "subversive" organizations by the Attorney General of the United States. The charge that these schools "appear" to be "adjuncts of the Communist Party" could be made against any institution that teaches Marxism, and could thus always be used as a device for labeling Marxist teaching subversive.

We may or may not believe in Marxist schools, Catholic schools, single-tax schools, or any other schools with particular social outlooks. We are alarmed that any official of the American Government assumes the power officially to proclaim the teaching and study of an economic philosophy to be subversive.

We believe that every group—including Marxists—has the right, under the American Constitution, to teach and propagate its ideas, and that students, whether they are Marxists or not, have the right to study Marxism and to judge for themselves the validity of its teachings. If this right can be denied by arbitrary government fiat—in the sense that teaching at or attending a school where such ideas are taught is declared "subversive"—then similarly any other ideas not approved by those in power can as readily be stifled.

We recognize, for example, that the Jefferson School of Social Science in New York is, in its teaching of the social sciences, avowedly Marxist. It operates as an independent institution under its board of trustees, and clearly defines its educational objectives and organization in its bulletins. Whatever one might think of Marxism as a method or a body of doctrine, it is clear that the action of the Attorney General in stigmatizing such institutions as "subversive," especially without hearing or trial, represents an extremely dangerous step in the direction of thought control and the institution of thought police. If Marxist schools can be declared subversive, then social science teachers who assign Marxist materials or express Marxist views may quickly be subjected to the same label. Freedom of inquiry will be gravely imperiled.

The President's Commission on Higher Education for American Democracy (December 15, 1947) has ably stated: "The social role of education in a democratic society is at once to insure equal liberty and equal opportunity to differing individuals and groups, and to enable the citizens to understand, appraise, and redirect forces, men, and events as these tend to strengthen or to weaken their liberties."

In this spirit, we ask that the President of the United States and the Attorney General withdraw the blacklist of Marxist and labor educational institutions, as repugnant to our national ideal of freedom of thought.

SIGNERS OF STATEMENT OF AMERICAN EDUCATORS

Professor	Institution (for identification only)
Thomas Addis-----	Stanford University.
Edward S. Allan-----	Iowa State College.
Russell Ames-----	Queens College.
Earl Maynard Aris-----	Albion College.
Francis M. Barbour-----	Southern Illinois University.
Fred Asa Barnes-----	Cornell (retired).
Ralph Beals-----	University of California at Los Angeles.
Edward Biberman-----	Yale University.
Leonard Bloomfield-----	Stanford (retired).
Cornelius Bol-----	De Pauw University
Earl C. Bowman-----	New York University.
Lyman R. Bradley-----	Do.
Theodore Brameld-----	Brooklyn College.
Joseph Bressler-----	Columbia University.
Dorothy Brewster-----	City College of New York.
John Bridge-----	University of California.
Arthur G. Brodeur-----	Harvard University.
Charles N. Brooks-----	Macalester College, Minnesota.
William B. Bryan-----	New York University.
Edwin Berry Burgum-----	St. Lawrence University.
John L. Buys-----	New York University (retired).
Robert Chambers-----	Stanford University.
Charles M. Child-----	Columbia University.
Edith F. Chaffin-----	Rollins College.
Edwin L. Clarke-----	Sarah Lawrence College.
Wilson L. Coates-----	Connecticut College.
M. Robert Cobblewick-----	University of Colorado.
Joseph W. Cohen-----	New York University.
Philip W. L. Cox-----	Tuskegee Institute.
Oliver C. Cox-----	Western Reserve University.
Grace L. Coyle-----	Hebrew Union College.
Abraham Cronbach-----	University of Missouri (emeritus).
Dean W. C. Curtis-----	University of Illinois.
John J. De Boer-----	Director, School of Education, University of Colorado.
Hari Douglass-----	University of Akron.
H. M. Doutt-----	Swarthmore College.
Arnold Dresden-----	National Association for the Advancement of Colored People.
W. E. B. DuBois-----	Bard College.
Lyford P. Edwards-----	Yale Law School.
Franklin Edgerton-----	Northwestern University.
Thomas D. Elliot-----	University of California.
Albert I. Elkus-----	Yale University.
Thomas I. Emerson-----	Northwestern University.
Bergen Evans-----	Brooklyn College.
Frederic Ewen-----	New York University.
Henry Pratt Fairchild-----	Jefferson School.
Philip S. Foner-----	City College of New York.
Abraham Edel-----	Vassar College.
Frances A. Foster-----	Rollins College.
Royal W. France-----	Massachusetts Institute of Technology.
Harold A. Freeman-----	Amherst College.
Reginald F. French-----	Hunter College.
Henrietta V. Friedman-----	Harvard University.
Wendell H. Furry-----	University of Pennsylvania.
David R. Goodard-----	Yale University.
Erwin R. Goodenough-----	University of Washington.
Ralph H. Gundlach-----	Western Reserve University.
Calvin S. Hall-----	

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SIGNERS OF STATEMENT OF AMERICAN EDUCATORS—continued

Professor	Institution (for identification only)
Victor E. Hall.....	Stanford University.
R. Travis Hardaway.....	Queens College.
Harrison Harley.....	Simmons College.
Virginia Harlow.....	De Pauw University.
Robert J. Havighurst.....	University of Chicago.
Harold Haydon.....	Do.
G. A. Hedger.....	University of Cincinnati (retired).
Virgil B. Heltzel.....	Northwestern University.
J. Allen Hickerson.....	New Haven State Teachers College.
Phillip M. Hicks.....	Swarthmore.
Ernest R. Hilgard.....	Stanford University.
Stefan Hirsh.....	Bard College.
Harry Holzer.....	University of California at Los Angeles.
Hamilton Holt.....	President, Rollins College.
Harold Hotelling.....	University of North Carolina.
Abbott G. Houk.....	St. Lawrence University.
Abbott Kaplan.....	University of California at Los Angeles
Forrest M. Keen.....	Heidelberg College.
Raymond Kennedy.....	Yale.
Walter B. Keighton.....	Swarthmore.
C. Wendell King.....	Rollins College.
Paul Kirkpatrick.....	Stanford University.
Samuel Kliger.....	Duke University.
John I. Kolehmainen.....	Heidelberg College.
Luther P. Jackson.....	Virginia State College.
William Jaffe.....	Northwestern University.
Harold N. Lee.....	Tulane University.
Paul L. Lehmann.....	Princeton Theological Seminary.
Norman Levinson.....	Mass. Institute of Technology.
Alton A. Lindsey.....	
Gerhard Loose.....	University of Colorado.
Chaplain Sidney Lovett.....	Yale.
Robert S. Lynd.....	Columbia.
Curtiss MacDougall.....	Northwestern University.
New MacMinn.....	Do.
Wilfred H. Mainwaring.....	Stanford University (emeritus).
Luther B. Marchant.....	Mills College.
John M. Marsalka.....	Yale.
F. O. Matthiessen.....	Harvard University.
Wesley H. Maurer.....	University of Michigan.
Kenneth O. May.....	
Henry L. McClintock.....	University of Minnesota Law School.
V. J. McGill.....	
J. F. Mack.....	Oberlin College.
Kirtley F. Mather.....	Harvard.
Clyde Miller.....	Columbia.
Ermina Mills.....	De Pauw University.
Julia Neely.....	Southern Illinois University.
Arthur H. Nethercot.....	Northwestern University.
Robert Hastings Nichols.....	Union Theological Seminary (emeritus).
F. S. C. Northrop.....	Yale.
Michael Pargment.....	University of Michigan.
Ralph Barton Perry.....	Harvard (emeritus).
John P. Peters.....	New Haven, Conn.
Edith Phillips.....	Swarthmore.
Herbert J. Phillips.....	University of Washington.
Frank W. Pitman.....	Pomona College (emeritus).
Walter Rautenkraus.....	Columbia (emeritus).
Ira De A. Reid.....	Atlanta University.
George F. Reynolds.....	University of Colorado (emeritus).
Sarah R. Riedman.....	Brooklyn College.
Bernard F. Ries.....	Hunter College.
Holland Roberts.....	California Labor School.
Theodore Rosebury.....	Columbia University.

SIGNERS OF STATEMENT OF AMERICAN EDUCATORS—continued

Professor	Institution (for identification only)
Alexander Sandow-----	New York University.
Margaret Schlauch-----	Do.
Frederick L. Schuman-----	Williams College.
Agner H. Schroeder-----	Western Reserve University.
Walter Sliz-----	Swarthmore.
Harry Slochower-----	Brooklyn College.
William O. Smith-----	Linfield College.
Willard Smith-----	Mills College.
James D. Sorber-----	Swarthmore.
Bertha K. Stavrianos-----	Roosevelt College of Chicago.
Bernard J. Stern-----	Columbia.
Dirk J. Struk-----	Massachusetts Institute of Technology.
Ernest L. Talbert-----	University of Cincinnati.
Willametta C. Thomson-----	Syracuse University.
Miriam D. Thompkins-----	Columbia.
Charles Trinkaus-----	Sarah Lawrence College.
William Lewis Troyer-----	Albion College.
Rexford Guy Tugwell-----	University of Chicago.
Colston E. Warne-----	Amherst College.
Edward K. Weaver-----	Alabama State Teachers College.
David L. Webster-----	Stanford University.
Charles H. Wesley-----	President, Wilberforce University.
Louis Welsner-----	Hunter College.
F. W. Weymouth-----	Stanford University.
George F. Whicher-----	Amherst College.
Samuel K. Workman-----	Northwestern University.
Henry N. Wieman-----	University of Chicago.
Edward H. Zabriskie-----	Rutgers University.
Thomas Woody-----	University of Pennsylvania.
Eugene O. Holmes-----	Howard University.
Stuart Mudd-----	University of Pennsylvania Medical School.

EXHIBIT 42

TO HONOR A GREAT AMERICAN ON THE THIRD ANNIVERSARY OF HIS COURAGEOUS LAUNCHING OF THE FIGHT FOR PEACE

You are cordially invited to join us in honoring Henry A. Wallace, a great leader and a wonderful human being at a dinner, at the Hotel Astor, New York City, Monday evening, September 12, 1949, at 7 o'clock.

Couvert: \$10—dress optional.

R. S. V. P.

TED O. THACKREY, Dinner Chairman.

Three years ago, a man of courage and principle and great concern for his fellow man raised his voice against what he regarded as a betrayal of the people.

His conscience afame, he spoke up, at Madison Square Garden, on September 12, 1946, against the drift away from the Roosevelt path of peace and cooperation.

He did this at great personal sacrifice. Just as 2 years earlier when his denunciation of Jim Crow at the Democratic National Convention cost him the Presidency, so now his Jeremiah-like warning led inevitably to his resignation from the Cabinet a few days later.

On that September 12, Henry A. Wallace launched, and has since led with magnificent integrity, the resistance movement that has given organized expression to the peace forces of America. Some day this movement will be judged in true perspective and all who have participated in it will have reason to be proud.

Funds from this dinner will be used to further Mr. Wallace's great work as the leader of the Progressive Party.

DINNER SPONSORS

John Abt	Prof. Thomas L. Emerson	Paul J. Kern
Jacob L. Alsenberg	Lion Feuchtwanger	Charles M. Kerbs, Jr.
Helen L. Alfred	Frederick V. Field	Dr. John A. Klingbury
Oliver S. Allen	Thomas Fitzpatrick	Hannah Kirtz
Irving Andrus	Russell H. Fluent	Harry G. Krlegel
Robenhu Anthony	Clark Foreman	Leo Krzyekl
I. Duke Ayer	Clemens J. France	Corliss Lamont
Homer Ayres	Low Frank, Jr.	Mihard Lampell
C. B. Baldwin	Patricia Murphy Frank	Marjorie Lansing
Verda Barnes	Prof. Mitchell Franklin	Karly Larsen
Prof. Cyrus P. Barnum, Jr.	Dr. Richard A. Freedman	John La Touche
Mrs. Moses Barron	Dr. Asa B. Freedman	Arthur Laurents
Dr. Edward K. Barsky	Rev. Stephen H. Fritchman	James D. Le Cron
Henry Belitscher	William S. Gallmor	Canada Lee
Dr. Vincent Bellafiore	Mrs. William S. Gallmor	Ray Ley
David Beloff	Zalmon Garfield	Grace K. Liebman
Elmer A. Benson	A. J. Geip	Irma Lindholm
Irving Berke	Zina Getmansky	Seymour Lindfield
Mrs. Irving Berke	Elinor S. Glumbel	Alice F. Liveright
Victor Bernstein	Kaye Ginsberg	Stan Loney
Walter Bernstein	J. W. Glitt	Michael Lorling
Edwin Bjorkman	Mrs. J. W. Glitt	Dr. Oliver S. Loud
Dr. Algernon Black	Ben Gold	Thomas Ludwig
Morton Bloom	Fred F. Gold	Prof. Curtis D. McDougall
Millen Brand	B. Z. Goldberg	Bernard Z. McGroarty
Prof. Dorothy Brewster	Mrs. Louis Goldburt	John T. McManus
Harry Bridges	Minnie Golden	Mary Cabot Macay
Hugh Bryson	Sanford L. Goldman	Albert Maltz
Harold Buchman	Dr. Samuel M. Goodman	Vito Marcantonio
Dr. Robert K. Burns	Esther Lowe Gordon	James Martin
Rev. Dudley H. Burr	Jack Greenbaum	John Martin
Dr. Allan M. Butler	William Gropper	Winfred L. Martindale
Angus Cameron	Eward G. Gutiérer	Mary Bacon Mason
Dr. Ulysses Campbell	Uta Hagen	Prof. F. O. Matthiessen
Dr. John E. T. Camper	Vincent Hallinan	Dr. Leo Mayer
Herman Cherry	Mrs. Vincent Hallinan	Mrs. Leo Mayer
Jerome Chodorow	Dashiell Hammett	Rev. William Howard
John M. Coe	E. Y. Harburg	Melish
Louis Cohen	Mrs. E. Y. Harburg	Arthur Miller
Charles A. Collins	Dr. Fowler Harper	Clyde R. Miller
Fannie Cook	Dr. Marion Hathaway	William H. Miller
Israel Cramer	Dorothy Haven	Dimitri Mitropoulos
Prof. Henry W. Longfellow	Lillian Hellman	Mrs. Albert Mizzy
Dana	Donald Henderson	Thomas G. Moore
Francis Danowski	Erma L. Henderson	Elizabeth Moos
Zoltan Deak	Edith Wall Hertz	Jacob Moscowitz
John J. DeBoer	Rev. Charles A. Hill	Stanley Moss
Hugh De Lacy	Ira A. Hirschmann	Rev. Arthur W. Moulton
Raymond Dennis	Charles P. Howard	Russell Nixon
Freida Diamond	Leo Huberman	Grant W. Oakes
Harry L. Diehl	Rev. Kenneth deP. Hughes	Walter O'Brien
Martha Dodd	James Imbrile	Jerry J. O'Connell
Dr. Barnet Dorwitt	Jeremiah C. Ingersoll	Ernest Thor Olson
Olin Downes	Minneola P. Ingersoll	Orville Olson
Muriel Draper	Leo Isaacson	Harry C. Oppenheimer
Paul Draper	Rev. J. Quinton Jackson	Mrs. Harry C. Oppenheimer
Mrs. Paul Draper	Crockett Johnson	Sona Osato
Benjamin Dreyfus	Walter E. Johnson	Estelle Massey Osborne
Dr. W. E. B. DuBois	Alvin Jones	Arthur Osman
Prof. Barrows Dunham	Dr. Harry Joseph	
James H. Durkin	Robert Josephy	
Arnand d'Usseau	Mrs. Robert Josephy	
Dr. Lewis A. Eldridge, Jr.	Elinor Kahn	
Kyrle Elkin	Manya Kahn	
Dr. Robert H. Ellis	Rockwell Kent	

Dr. Lionel Ovesey	Norman Rosten	Elsie H. Tyndale
Meyer Paradineck	Dr. John F. Rutledge	Louis Untermeyer
Robert Patterson	Lee Subbinson	Mary Van Kleek
Dr. Linus Pauling	Dr. Arthur Schenkel	Katherine Van Orden
William Pennock	Prof. Frederick L.	Craig Vincent
Jennings Perry	Schuman	William Vulcan
Nels Peterson	Arthur Schutze	Dr. Alexander J.
Morris Pizer	Dr. Benjamin Segal	Walker
Ely Pollack	Joseph P. Selly	Courtney Ward
A. L. Pomerantz	Theodore Shupiro	Dr. Harry E. Ward
Martin Popper	Agnes Smidley	Allee H. Ware
Prof. Edward A. Post	Dr. Randolph B. Smith	Goddie Watson
George Provost	Raphael Noyer	Dr. William H. Watts
Harry Ragozin	Mrs. Lawrence D. Steevel	Max Weber
Mrs. Harry Ragozin	Johannes Steel	Dr. Gene Weltfish
Willard B. Ransom	Boris R. Steinberg	Mrs. Louis Wender
Bernard Rawleek	Alfred K. Stern	Prof. Frank W. Wey-
Libby Holman Reynolds	J. E. Stone	mouth
Dr. John G. Rideout	Fred W. Stover	Rev. Elliot White
Paul Robeson	Friedrich Strassler	Mrs. Elliot White
Estella Goode Robeson	Dr. Dirk J. Struik	Henry Willcox
Col. Raymond Robbins	Paul M. Sweezy	Mrs. Henry Willcox
Earl Robinson	Helen Tunbridge	James Waterman Whe-
Reid Robinson	Dr. I. M. Tarlov	Bert Witt
Sidney Roger	Dr. Alva W. Taylor	Alexander Wright
O. John Rogge	Mandel A. Terman	Herman Wright
Harold J. Rome	P. Frankel Thau	George Wuchich
Dr. Samuel Rosen	Jacob Turner	Coleman Young
Mrs. Samuel Rosen	Mrs. Jacob Turner	Joseph Zwillinger
Paul L. Ross	Jerry Tyler	Mrs. Joseph Zwillinger

EXHIBIT 43

(Bureau of Academic Freedom, National Council of the Arts, Sciences, and Professions,
40 West Forty-fourth Street, New York 18 (Johanna Grant))

For release Tuesday, March 1, 1949.

**ONE HUNDRED AND FIFTY LEADING EDUCATORS CALL FOR REINSTATEMENT OF
UNIVERSITY OF WASHINGTON PROFESSORS**

LETTERS TO DR. ALLEN CALLS FIRINGS THREAT TO ENTIRE EDUCATIONAL SYSTEM

One hundred and fifty educational leaders from more than 50 colleges and universities throughout the country have urged Dr. Raymond Allen, president of the University of Washington, to reinstate with full rights of tenure the 3 professors recently discharged from the university for membership in or "ambiguous relationship to" the Communist Party in a letter released today (Tuesday) by the Bureau of Academic Freedom of the National Council of the Arts, Sciences, and Professions.

Dr. Christian Gauss, dean emeritus of Princeton University; Prof. L. C. Dunn of Columbia University; Dr. L. B. Arguello, of the Massachusetts Institute of Technology; Dr. Howard Mumford Jones, of Harvard University; and Prof. Robert Chambers, of New York University, are among the signers of the letter which characterizes the firings as a "shocking repudiation" of the principles of democracy and academic freedom.

Other signatures to the letter, which has also been sent to the board of regents of the University of Washington, include: Dr. David Haber, Yale Law School; Prof. Colston Warne, Amherst College; Dr. Harl R. Douglass, director of the College of Education, University of Colorado; Dr. Frank W. Weymouth, Stanford University; Prof. Joseph F. Fletcher, Episcopal Theological School, Cambridge; Dr. W. C. H. Prentiss of Swarthmore College; Dr. I. M. Kolthoff, University of Minnesota; and Dr. T. W. Reese, Mount Holyoke College.

Following is the complete text of the letter, released by Dr. Clyde R. Miller, director of the NCASP Bureau on Academic Freedom:

"The principle that every citizen has a right to his personal beliefs and associations and to voluntary participation in the affairs of the community is fundamental to the traditional American concepts of democracy and academic freedom.

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"The recent decision of the University of Washington to dismiss three faculty members on the basis of membership in the Communist Party, or on the premise of "guilt by association," is a shocking repudiation of this principle. If these dismissed professors are not reinstated, the result will be irreparable damage to all educational institutions and particularly to the University of Washington.

"The university's action, if it is not swiftly reversed, will set a precedent for the dismissal of any instructor for any personal beliefs and associations.

"As educators, deeply concerned for our own civil rights and those of our fellow citizens, and cognizant of the further implications of this action as a threat to our entire educational system, we urge the immediate reinstatement, with full rights of tenure, of the dismissed professors, Phillips, Butterworth, and Gundlach."

List of other professors whose names appear on the statement are attached.

SIGNERS OF STATEMENT TO PRESIDENT ALLEN OF THE UNIVERSITY OF WASHINGTON

(Universities and colleges listed for identification purposes only)

- Dr. M. H. Abrams, Cornell University.
Dr. Vaughn S. Albertson, Vanport College.
Dr. Gordon Allport, Harvard University.
Dr. Kurt Anderson, Bennington College.
Prof. L. B. Arguimbau, Massachusetts Institute of Technology.
Dr. Albert F. Ax, Harvard University.
Dr. Bernard Baum, University of Iowa.
Dr. Paul H. Baurman, University of Louisville.
Dr. Carter Bechtel, University of Louisville.
Dr. Albert J. Becker, Western Reserve University.
Dr. Robert O. Blood, Jr., William Penn College.
Prof. Henry Blumberg, Ohio State University.
Dr. Bart J. Bok, Harvard Observatory.
Edith Keene Bower, American Association for Adult Education.
Dr. Theodore Brameld, New York University.
Dr. Louise Fargo Brown, Vassar College.
Dr. Robert Winzer Bruce, Lyndon Teachers College.
Dr. Edith Burnett, Smith College.
Dr. Robert C. Challman, Menninger Foundation.
Dr. Robert Chambers, New York University.
Dr. M. M. Chatterjee, Antioch College.
Dr. George B. Collins, University of Rochester.
Prof. Alfred Crofts, University of Denver.
Prof. John J. DeBoer, University of Illinois.
Dr. Marion DeRonde, Smith College.
Dr. Malcolm Dole, Northwestern University.
Dr. Harl R. Douglass, University of Colorado.
Dr. W. E. B. DuBois, Council on African Affairs.
Dr. Barrows Dunham, Temple University.
Dr. L. C. Dunn, Columbia University.
Dr. Henry Pratt Fairchild, New York University.
Dr. I. Fankuchen, Polytechnic Institute of Brooklyn.
Dr. Harold Feldman, Cornell University.
Dr. Leon Festinger, University of Michigan.
Dr. Mary Jo Fink, University of Louisville.
Dr. Joseph J. Firebaugh, University of Florida.
Dr. William H. Fisher, Eastern Washington College.
Prof. Joseph F. Fletcher, Episcopal Theological School.
Dr. G. L. Foster, Columbia University.
Dr. Frank S. Freeman, Cornell University.
Dr. Stanley Friedman, Western Reserve University.
Dr. Wendell Furry, Harvard University.
Dr. Morris E. Garnsey, University of Colorado.
Dr. Christian Gauss, Princeton University.
Dr. Josephine M. Glenson, Vassar College.
Dr. Alma Goetsch, Michigan State College.
Dr. Irving Goodman, University of Colorado.
Dr. M. Goodman, Western Reserve University.
Dr. David Haber, Yale.
Dr. William Haller, Jr., University of Massachusetts.
Prof. Fowler Harper, Yale Law School.
Dr. Frederick P. Harris, Western Reserve University.
Dr. Mary Hemle, New School for Social Research.

- Dr. Nicholas Hobbs, Columbia University.
Dr. Lee Elbert Holt, American International College.
Dr. Lloyd G. Humphreys, Stanford University.
Dr. W. Hurewicz, Massachusetts Institute of Technology.
Dr. Robert Iglehart, New York University.
Dr. Otto Jelinek, Grinnell College.
Dr. Howard Mumford Jones, Harvard University.
Dr. Mervin Jules, Smith College.
Dr. Daniel Katz, University of Michigan.
Dr. Noble H. Kelley, University of Louisville.
Dr. John C. Kennedy, Oberlin College.
Dr. George R. Kermode, University of Iowa.
Dr. Phillip Klein, New York School of Social Work.
Dr. Ellis Kollebin, Columbia University.
Dr. I. M. Kolthoff, University of Minnesota.
Dr. Oliver W. Larkin, Smith College.
Dr. Douglas H. Lawrence, Yale University.
Dr. Ronald B. Levy, Roosevelt College.
Dr. Gardner Lindzey, Harvard University.
Dr. Bert James Loewenberg, Sarah Lawrence College.
Dr. Helen Morell Lynd, Sarah Lawrence College.
Dr. Solomon Machover, Brooklyn College.
Dr. Norman Mailer, University of Michigan.
Dr. F. L. Marcuso, Cornell University.
Dr. S. E. Margolin, University of Louisville.
Prof. J. M. Marsalka, Yale University.
Dr. R. E. Marshak, University of Rochester.
Dr. Glenn C. Martin, Santa Monica City College.
Prof. Kirtley F. Mather, Harvard University.
Dr. F. O. Matthiessen, Harvard University.
Dr. Samuel J. McLaughlin, New York University.
Dr. Alice McNiff, New York University.
Dr. Willis B. Merriam, State College of Washington.
Dr. Adolph E. Meyer, New York University.
Prof. Otto Meyerhof, University of Pennsylvania.
Dr. Ruby Turner Morris, Vassar College.
Dr. Philip Morrison, Cornell University.
Dr. George A. Muench, University of Louisville.
Dr. Otto Nathan, New York University.
Dr. Wesley Osterberg, Western Reserve University.
Dr. Erwin Panofsky, Institute for Advanced Study.
Dr. Melber Phillips, Brooklyn College.
Dr. Dale Pontius, Roosevelt College.
Dr. W. O. H. Prentice, Swarthmore College.
Dr. Claire F. Rabo, Western Reserve University.
Mr. Walter Rautonstrach.
Dr. Peter L. Rube, Western Reserve University.
Dr. T. W. Reese, Mount Holyoke College.
Denn Geraldine Richard, Chandler School.
Dr. Walter B. Rideout, Harvard University.
Dr. Bernard F. Riess, Hunter College.
Mr. Holland Robert, California Labor School.
Dr. Milton Rokeach, Michigan State College.
Prof. Clifford P. Rowe, Pacific University.
Dr. Seymour B. Sarason, Yale University.
Dr. S. Stansfeld Sargent, Columbia University.
Dr. T. C. Schneirla, American Museum of Natural History.
Dr. Waldo Schumacher, University of Oregon.
Dr. Frederick L. Schuman, Williams College.
Dr. William R. Sears, Cornell University.
Dr. Theodore Sheldovsky, Rockefeller Institute.
Mr. Henry W. Shelton, La Jolla, Calif.
Dr. B. Othanel Smith, University of Illinois.
Dr. M. Brewster Smith, Harvard University.
Dr. Randolph B. Smith, New York City.
Dr. P. A. Serekin, Harvard University.
Dr. Rose Stagner, University of Illinois.
Dr. R. J. Stauverman, Emory University.
Dr. Bernhard J. Stern, Columbia University.
Philippa F. Stowe, New York City.
Dr. Dirk J. Struik, Massachusetts Institute of Technology.
Dr. Edward A. Suchman, Cornell University.
Dr. Ralph B. Tower, West Virginia University.
Dr. Charles Trinkhaus, Sarah Lawrence College.
Dr. Ralph H. Turner, Oberlin College.
Dr. Robert Ulrich, Harvard University.
Dr. J. Van der Zee, State University of Iowa.

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- Dr. T. W. Van Metre, Columbia University.
Dr. George B. Vetter, New York City.
Dr. John Volkmann, Mount Holyoke College.
Dr. Herbert Weisinger, Institute for Advanced Study.
Dr. Louis Weisner, Hunter College.
Dr. Gene Weltfish, Columbia University.
Dr. Frank W. Weymouth, Stanford University.
- Dr. Paul L. Whitely, Franklin and Marshall.
Dr. Maxine Wolfenstein, Western Reserve University.
Dr. Thomas Woody, University of Pennsylvania.
Prof. Colston E. Warne, Amherst College.
Dr. Thomas I. Emerson, Yale Law School.

(Partial list as of February 21, 1940.)

EXHIBIT 44

CULTURE AND THE CRISIS

AN OPEN LETTER TO THE WRITERS, ARTISTS, TEACHERS, PHYSICIANS, ENGINEERS, SCIENTISTS, AND OTHER PROFESSIONAL WORKERS OF AMERICA

League of Professional Groups for Foster and Ford

In October this group was organized as the League of Professional Groups for Foster and Ford. An editorial committee was appointed and instructed to expand the original statement into a 10,000-word open letter, and publish it as an election pamphlet. This pamphlet is now issued under the title of "Culture and the Crisis."

Leonie Adams
Sherwood Anderson
Newton Arvin
Emjo Basshe
Maurice Becker
Slater Brown
Fielding Burke
Erskine Caldwell
Robert Cantwell
Winifred L. Chappell
Lester Cohen
Louis Colman
Lewis Corey
Henry Cowell
Malcolm Cowley
Bruce Crawford
Kyle S. Crichton
Countee Cullen

H. W. L. Dana
Adolf Dehn
John Dos Passos
Howard N. Doughty, Jr.
Miriam Allen De Ford
Waldo Frank
Alfred Frueh
Murray Godwin
Eugene Gordon
Horace Gregory
Louis Grudin
John Herrmann
Granville Hicks
Sidney Hook
Sidney Howard
Langston Hughes
Orrick Johns
William N. Jones

Matthew Josephson
Alfred Kreymborg
Louis Lozowick
Grace Lumpkin
Felix Morrow
Samuel Ornitz
James Rorty
Isidor Schneider
Frederick L. Schuman
Edwin Seaver
Herman Simpson
Lincoln Steffens
Charles Walker
Robert Whittaker
Edmund Wilson
Ella Winter

Five cents per copy; \$1 for 25; \$3.50 for 100.
Send orders to League of Professional Groups for Foster and Ford, 35 East Twelfth Street, New York City.

EXHIBIT 45

LIST OF OFFICERS AND MEMBERS OF THE NATIONAL CITIZENS POLITICAL ACTION COMMITTEE, AS SUBMITTED TO THE COMMITTEE ON CAMPAIGN EXPENDITURES OF THE HOUSE OF REPRESENTATIVES IN THE LAST WEEK OF AUGUST 1944. AN INCOMPLETE LIST WAS PUBLISHED IN THE DAILY WORKER OF JULY 15, 1944

OFFICERS

Hon. George W. Norris, honorary chairman
Hon. Sidney Hillman, chairman
Hon. James G. Patton, vice chairman
Hon. Freda Kirchwey, vice chairman
Hon. R. J. Thomas, treasurer
Hon. James H. McGill, comptroller
Hon. Clark Foreman, secretary

EXECUTIVE COMMITTEE

Verda White Barnes	Freda Kirchwey	James G. Patton
Elmer A. Benson	James Loeb	Gifford Pinchot
Van A. Bittner	Lucy Randolph Mason	R. J. Thomas
Clark Foreman	James H. McGill	Dr. Robert C. Weaver
Sidney Hillman	Philip Murray	A. F. Whitney

MEMBERS OF THE COMMITTEE

- Adamic, Louis, author, Milford, N. J.
 Alexander, Dr. Will W., vice president, Julius Rosenwald Fund, North Carolina
 Anderson, Mary, former Director, Women's Bureau, Department of Labor, Washington, D. C.
 Anderson, Mrs. Sherwood, New York City
 Baldwin, C. B., assistant chairman, CIO Political Action Committee, New York
 Balokovic, Zlatko, president, United Committee of South Slavic Americans, New York
 Barnes, Verda White, director, women's division, CIO Political Action Committee, New York
 Bauer, Catherine, author, California
 Benet, William Rose, poet, New York
 Benson, Elmer A., ex-Governor, Minnesota
 Bethune, Mary McLeod (Mrs.), Daytona Beach, Fla.
 Bliggert, Robert (Mrs.), Winnetka, Ill.
 Bittner, Van A., United Steelworkers of America, Washington, D. C.
 Blaine, Emmons (Mrs.), Chicago, Ill.
 Bliven, Bruce, editor, New Republic, New York
 Bous, Dr. Ernst P., New York City
 Bowie, Dr. W. Russell, professor, Union Theological Seminary, New York
 Bremer, Otto, banker, St. Paul, Minn.
 Bunzick, Zarko M., president, Serbian Vidovdas Congress, Akron, Ohio
 Burke, J. Frank, Pasadena, Calif.
 Butkovich, John D., president, Croatian Fraternal Union, Pennsylvania
 Carey, James B., secretary-treasurer, Congress of Industrial Organizations, Washington, D. C.
 Clyde, Ethel (Mrs.), Huntington, Long Island
 Connally, Marc, Los Angeles, Calif.
 Cooke, Morris Llewellyn, consulting engineer, Philadelphia, Pa.
 Coolidge, Albert Sprague, professor, Harvard University, Massachusetts
 Corrothers, Rev. S. L., president, National Nonpartisan Colored Ministers Association, U. S. A., Westbury, Long Island
 Curran, Joseph, president, National Maritime Union of America, New York
 Dalrymple, Sherman H., president, United Rubber Workers of America, Ohio
 Davis, Dr. Michael M., editor, Medical Care, New York
 Dombrowski, Dr. James A., executive secretary, Southern Conference for Human Welfare, Tennessee
 Dunjee, Roscoe, editor and publisher, the Black Dispatch, Oklahoma
 DuPont, Ethel, writer, Kentucky
 DuPont, Zara, Cambridge, Mass.
 Durr, Clifford (Mrs.), vice chairman, National Committee to Abolish the Poll Tax, Virginia
 Elliot, Thomas H., attorney, Cambridge, Mass.
 Embree, Edwin R., president, Julius Rosenwald Fund, Illinois
 Epstein, Henry, attorney, New York City
 Fitzgerald, Albert J., president, United Electrical, Radio and Machine Workers of America, New York
 Foreman, Clark, president, Southern Conference for Human Welfare.
 Frazier, Dr. E. Franklin, professor of sociology, Howard University, Washington, D. C.
 Galbraith, John Kenneth, editorial department, Fortune Magazine.
 Gimbel, Ellinor, Committee for the Care of Young Children in Wartime, New York City.
 Green, John, president, Marine and Shipbuilding Workers of America, New Jersey.
 Gutknecht, John, Judge, municipal court, Chicago, Ill.
 Harburg, E. Y., motion picture director, Hollywood, Calif.
 Hastie, William, Judge, dean, Howard Law School, Washington, D. C.
 Hays, Mortimer, attorney, New York City.

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Haywood, Allan S., administrator, Federal Workers of America, Washington, D. C.
Hecht, Ben, writer, California.
Hewes, L. I., Jr., Palo Alto, Calif., National Council on Race Relations.
Hillman, Sidney, president, Amalgamated Clothing Workers of America.
Hollander, Sidney, manufacturer, Maryland.
Hughes, Langston, poet, New York.
Imrie, James, banker, Trenton, N. J.
Kenyon, Dorothy, Judge, New York City.
Kingdon, Dr. Frank, author, New York.
Krechwey, Freda, publisher, the Nation, New York.
Krzyek, Leo, president, American Slav Congress, New York.
Kulikowski, Adam, publisher, Opportunity, Virginia.
Lange, Oscar, professor, University of Chicago, Ill.
Lapp, John, independent labor conciliator, Chicago, Ill.
Lettron, James, assistant to Henry A. Wallace as Secretary of Agriculture, Berkeley, Calif.
Lee, Canada, actor, New York City.
Lerner, Max, author, editor, PM, New York.
Lewis, Alfred Baker, Greenwich, Conn., president, Trade Union Accident and Health Association.
Lewis, John Frederick, president, Art Alliance, Philadelphia, Pa.
Lewis, William Draper, Philadelphia, Pa.
Lochard, Dr. Mets T., editor, Chicago Defender, Chicago, Ill.
Loeb, James, secretary, Union for Democratic Action, New York.
Luyten, Dr. W. J., professor of astronomy, University of Minnesota, Minneapolis, Minn.
Mason, Lucy Randolph, Atlanta, Ga.
Maurer, Dr. Wesley, School of Journalism, University of Michigan.
McAllister, Mrs. Thomas F., former director, women's division, National Democratic Party, Grand Rapids, Mich.
McConnell, Francis J., bishop, New York City.
McCulloch, Frank, director, Mullenbach Institute, Chicago, Ill.
McDonald, David J., secretary-treasurer, United Steelworkers of America, Pennsylvania.
McGill, James H., McGill Manufacturing Co., Valparaiso, Ind.
McMahon, Francis, professor, University of Chicago, Chicago, Ill.
McWilliams, Cary, attorney, writer, Los Angeles, Calif.
Motherwell, Hiram, author, New York.
Murray, Philip, president, Congress of Industrial Organizations, Washington, D. C.
Muhsac, Capt. Hugh, United States merchant marine, Jamaica, Long Island.
Nelson, William A., educator, Falls Village, Conn.
Niebuhr, Dr. Reinhold, professor, Union Theological Seminary, New York.
Norris, Hon. George W., Nebraska.
Osowski, Dr. W. T., president, American Slav Congress, Michigan.
Patton, James G., president, National Farmers Union, Colorado.
Perry, Jennings, editor, Nashville Tennessean, Tennessee.
Pinchot, Cornelia Bryce, Washington, D. C.
Pinchot, Gifford, Milford, Pa.
Platek, V. X., president, National Slovak Society, Pennsylvania.
Pope, Dr. Liston, Yale Divinity School, New Haven, Conn.
Popper, Martin, executive secretary, National Lawyers Guild.
Porter, Katherine Anne, writer, New York.
Poynter, Nelson, publisher, St. Petersburg Times, Florida.
Quigley, Judge George L., municipal court, Chicago, Ill.
Ratca, Peter, president, United Russian Orthodox Brotherhood of America, Pennsylvania.
Reid, Dr. Ira., associate director, Southern Regional Council, Atlanta, Ga.
Reynolds, J. Louis, Reynolds Metals Co., Virginia.
Ricker, A. W., editor, Farm Union Herald, St. Paul, Minn.
Rieve, Emil, president, Textile Workers Union of America, New York.
Robeson, Paul, actor, New York.
Robinson, Edward G., Hollywood, Calif.
Robinson, Mrs. Edward G., Hollywood, Calif.
Robinson, Reid, president, United Mine, Mill and Smelter Workers of America, Colorado.

Rosenblum, Frank, Amalgamated Clothing Workers of America, New York.
 Rosenthal, Morris S., Stein, Hall & Co., Inc., New York.
 Ross, Mrs. J. D., Seattle, Wash.
 Ryan, H. Frank, managing editor, Courier-Post, Camden, N. J.
 Snekett, Sheldon F., editor, Coos Bay Times, Marshfield, Oreg.
 Schlesinger, Arthur M., professor of history, Harvard University.
 Schuman, Frederick L., professor of international relations, Williams College, Massachusetts.
 Schwartz, C. K., attorney, Chicago, Ill.
 Soiferheld, David F., president, N. Erlanger Blumgart & Co., New York City.
 Smathers, Hon. William H., New Jersey.
 Smith, Lillian, editor, South Today, and author, "Strange Fruit", Georgia.
 Smith, S. Stephenson, Eugene, Oreg.
 Soule, George, associate editor, New Republic, New York City.
 Spelz, Mercedes Powell, president, Richmond Consumers Cooperative, Richmond, Va.
 Steele, Julian D., president, Boston Branch, NAACP, Boston, Mass.
 Sweezy, Alan, professor of economics, Williams College, Massachusetts.
 Stone, Maurice L., business executive, 30 Rockefeller Plaza, New York.
 Thomas, R. J., president, United Automobile, Aircraft, Agricultural Implement Workers of America, Detroit, Mich.
 Tilly, Mrs. M. E., jurisdictional secretary of Christian social relations of the southeastern jurisdiction of the Women's Society for Christian Service, Methodist Church, Georgia.
 Tobias, Dr. Channing H., member of Joint Army and Navy Committee on Welfare and Recreation and Mayor's Committee on Unity, New York City.
 Townsend, Willard, president, United Transport Service Employees of America, Chicago, Ill.
 Van Kleeck, Mary, Russell-Sage Foundation, New York City.
 Walsh, J. Raymond, director of research, CIO Political Action Committee, New York.
 Warling, P. Alston, farmer-author, New Hope, Pa.
 Weaver, Dr. Robert C., Mayor's Committee on Racial Relations, Chicago, Ill.
 Welles, Orson, Hollywood, Calif.
 Wesley, Carter, publisher, Houston Informer, Tex.
 Wheelwright, Mrs. Ellen DuPont, Wilmington, Del.
 Whitney, A. F., president, Brotherhood of Railroad Trainmen, Ohio.
 Williams, Aubrey, National Farmers Union, Washington, D. C.
 Wilson, Mrs. Luke L., Bethesda, Md.
 Wise, James Waterman, author, radio commentator, New York.
 Wright, Jr., Bishop R. R., executive secretary, Negro Fraternal Council of Churches in America, Ohio.
 Young, P. B., publisher, Norfolk Journal and Guide, Virginia.
 Zeman, Jr., Stephen, president, Slovak Evangelical Union, Pennsylvania.
 Zmrhal, Prof. Jaroslav J., president, Czechoslovak National Council, Illinois.

EXHIBIT 46

[From Daily Worker, New York, Wednesday, April 16, 1947]

NOTABLES DEFEND COMMUNIST RIGHTS

More than 100 prominent individuals yesterday called upon Congress to defeat the various "exceptional and punitive measures directed against the Communist Party," now in the hands of the House Committee on Un-American Activities.

Signers of the letter include Thomas Mann, Franklin P. Adams, Vincent Sheean, Prof. Frederick L. Schuman of Williams College, Mr. and Mrs. Sherwood Eddy, Mrs. Margaret Sanger Slee, Jo Davidson, Garson Kanin, Libby Holman, and Dean Walter G. Mudder of Boston University School of Theology.

"Legislation such as that proposed by Congressmen Rankin, Sheppard, Hartley, Parnell Thomas, and McDonough follows the Hitler pattern," the signers declared in a letter to House Speaker Joseph Martin, released by the Civil Rights Congress.

"The Communist Party is a legal American political party. We see nothing in its program, record or activities, either in war or peace to justify the enactment of the repressive legislation now being urged upon the Congress in an atmosphere of an organized hysteria."

Among the other signers of the letter are Samuel L. M. Barlow, Sholem Asch, Elmer A. Benson, former Governor of Minnesota; Prof. S. P. Breckenridge, University of Chicago; Zlatko Balokovic, Professors Archibald Cox, Henry Wadsworth Longfellow Dunn and F. O. Matthiessen of Harvard University; Prof. J. Frank Dobie, University of Texas; Adolf Dehn.

Also, Mayor Cornelius D. Scully, Pittsburgh, Pa.; Charles Houston, attorney Roscoe Dunjee, Oklahoma City; Prof. Henry Pratt Fairchild, Howard Fast, Dr. Harry E. Ward, John Howard Lawson, Agnes Smedley, Rev. Charles E. McClenahan, Cleveland, Ohio; Arthur Miller, Artur Schmalz, Dashiell Hammett, and Dr. Charlotte Hawkins Brown, president, Palmer Memorial Institute.

Also, Max Weber, William Jay Schleffelin, Dr. E. Franklin Frazier, Howard University; Bishop W. Y. Bell, Cordele, Ga.; Matthew Josephson, historian; Rabbi Jacob H. Kaplan, Miami, Fla.; Francis Fisher Kane, Philadelphia attorney; Prof. Malcolm Sharp, University of Chicago Law School; George Marshall and Milton Kaufman, Civil Rights Congress.

(Titles and institutions for identification only.)

Exhibit 47

NATIONAL WALLACE FOR PRESIDENT COMMITTEE, 39 Park Avenue, New York, N. Y.

For A. M. Release, Friday, March 26, 1938

Formation of a 700-member National Wallace for President Committee was announced yesterday (Thursday) by Elmer A. Benson, former Minnesota Governor and chairman of the Wallace group.

The committee will hold its first meeting in Chicago April 9, 10, and 11, to make plans for the formation of a new national political party and to plan the program for the Wallace campaign.

Programs for the various divisions of the Wallace committee will be drafted on the opening day of the meeting. The divisions include those for labor, women, professional groups, nationality groups, youth, and farm.

On April 10 and through part of April 11, State directors from approximately 40 States will report on their organizational progress and their drive to put Wallace's name on the ballot. The press will be admitted to this session of the meeting.

On the night of April 10 the committee members will attend a mass rally at the Chicago Stadium, where both Mr. Wallace and Senator Glen Taylor will speak.

The Chicago meeting will also issue the call for the new party convention and set the date and place.

Eleven new State parties have already been formed by Wallace groups. Plans are already under way for forming new parties shortly in 24 other States.

Among the 700 members of the committee are:

Zlatko Balokovic, violinist and president of the American Shay Congress, New York; Charlotte Bass, California publisher; Leonard Bernstein, musician, New York; Bart J. Bok, assistant director of Harvard University Observatory, Massachusetts; Harry Bridges, president, International Longshoremen's and Warehousemen's Union, CIO, California; Charlotte Hawkins Brown, educator, North Carolina; Scott Buchanan, educator, Massachusetts; Quentin Burdick, education director of North Dakota Farmers Union; Dr. Allan N. Butler, Harvard Medical School, Massachusetts; Hugh Bryson, president, Marine Cooks and Stewards Union, CIO; Mrs. Evans Carlson, Oregon; John Clark, president, Mine, Mill, and Smelters Union, CIO, Illinois; Robert Coates, New Yorker Magazine; John Coe, State senator, Florida; Fannie Cook, novelist, Missouri; Dr. Leo Davidoff, neurosurgeon, Montefiore Hospital, New York; Prof. Frank Dobie, University of Texas; Olin Downes, music critic, New York; W. E. B. DuBois, research director of the National Association for the Advancement of Colored People, New York; Roscoe Dunjee, publisher, Oklahoma; James Durkin, president, United Office and Professional Workers of America, CIO, New York; Mrs. Clifford Durr, Virginia; Prof. Thomas Emerson, Yale Law School; Jose Ferrer, actor, New York; Prof. Roblin Field, Tulane University, Louisiana; Albert J. Fitzgerald, president, United Electrical, Radio, and Machine Workers of America, CIO, New York; Dr. Clark Foreman, president of the Southern Conference for Human Welfare, Georgia; Mrs. Elinor Gimbel, New York; Josiah Glitt, publisher, York (Pa.) Gazette and Daily; Ben Gold, president, Fur Workers International Union, CIO, New York; Uta Hagen, actress, New York; Roy Harris, composer,

Colorado; Lillian Hellman, playwright, New York; Donald Henderson, president, Food, Tobacco, and Agricultural Workers of America, CIO; Ira A. Hirschmann, former Inspector general for UNRRA, New York; Henry T. Hunt, former mayor of Cincinnati; N. Floyd Hunter, director, Community Planning Council, Atlanta, Ga.; John Huston, film director, California; Congressman Leo Isen, New York; Francis Fisher Kane, Philadelphia; Howard Koch, Hollywood screen writer; Leo Krzyekl, retired vice president, Amalgamated Clothing Workers of America, Wisconsin; Canada Lee, actor, New York; Curtis McDougall, Northwestern University, Illinois; James McGill, Indiana manufacturer; Howard McKenzie, vice president, National Maritime Union, CIO; Allie McMahon, actress, Los Angeles; Congressman Vito Marcantonio, New York; Prof. E. O. Matthiessen, Harvard University, Massachusetts; Daniel Mebane, publisher, New Republic, New York; Frederic G. Melcher, editor of Publishers' Weekly, New Jersey; Dmitri Mitropoulos, conductor of the Minneapolis Symphony Orchestra; Capt. Hugh Mulzac, captain of the *Booker T. Washington*; Stanley Nowak, State senator, Michigan; Grant W. Oaks, president, Farm Equipment Workers Union, CIO, Illinois; Sonja Osato, actress, California; Dr. Linus Pauling, physiologist, California Institute of Technology; Morris Pizer, president, United Furniture Workers of America, CIO; Abraham Pomerantz, former United States prosecutor at the Nuremberg War Crimes Trials, New York; Lee Pressman, former CIO general counsel; Michael J. Quill, president, Transport Workers of America, CIO; Magistrate Joseph Rudney, Philadelphia; O. John Rogge, former Assistant United States Attorney General, New York; Prof. John G. Ridgeout, Durham, N. H.; Prof. Frederick L. Schumann, Williams College, Massachusetts; Joseph F. Selly, president, American Communications Association, CIO; Artie Shaw, bandleader, Norwalk, Conn.; Dr. Michael A. Shadid, Oklahoma City, Okla.; Dr. Maud Slye, director of the University of Chicago Cancer Research; Mrs. Edgar Snow (Nym Wales) Madison, Conn.; Robert St. John, author, New York; Kenneth Spencer, singer, New York; Fred Stover, president, Iowa Farmers Union; Mark Van Doren, poet, New York; Mary Van Kleeck, Russell Sage Foundation, New York; F. A. Vidor, chairman, Slovene American National Council, Chicago; Simele Voydanoff, president, Macedonian American Peoples League, Michigan; Addie L. Weber, president, New Jersey State Federation of Teachers, AFL; Don West, poet, Oglethorpe University, Atlanta, Ga.; Nelson Willits, president, Cook County Bar Association, Chicago; James Waterman Wise, New York; Ed Yeomans, director of the Eastern Division, National Farmers Union; Chester Young, vice president, National Maritime Union, CIO.

Assistant M. Benson as cochairman of the committee are Jo Davidson, sculptor; Albert J. Fitzgerald, president of the CIO United Electrical, Radio, and Machine Workers of America; Mrs. Anita McCormick Blaine, of Chicago; Paul Robeson, singer, and Dr. Rexford G. Tugwell of the University of Illinois faculty.

Committee treasurer is Angus Cameron, editor in chief of Little, Brown & Co., publishers. Campaign manager is C. B. Baldwin.

EXHIBIT 48

THE TEXT OF AN OPEN CALLING FOR GREATER UNITY OF THE ANTI-FASCIST FORCES AND STRENGTHENING OF THE FRONT AGAINST AGGRESSION THROUGH CLOSE COOPERATION WITH THE SOVIET UNION RELEASED ON AUGUST 14 BY 400 LEADING AMERICANS

To All Active Supporters of Democracy and Peace

One of the greatest problems confronting all those engaged in the struggle for democracy and peace, whether they be liberals, progressives, trade-unionists, or others, is how to unite their various forces so as to achieve victory for their common goals. The Fascists and their allies are well aware that democracy will win if its supporters are united. Accordingly, they are intent on destroying such unity at all costs.

On the international scene the Fascists and their friends have tried to prevent a united antifascist front by sowing suspicion between the Soviet Union and other nations interested in maintaining peace.

On the domestic scene the reactionaries are attempting to split the democratic front by similar tactics. Realizing that here in America they cannot get far with a definitely pro-Fascist appeal, they strive to pervert American anti-Fascist sentiment to their own ends. With the aim of turning anti-Fascist feeling against the Soviet Union they have encouraged the fantastic falsehood that the U. S. S. R. and the totalitarian states are basically alike. By this strategy they hope to

create dissension among the progressive forces whose united strength is a first necessity for the defeat of fascism.

Some sincere American liberals have fallen into this trap and unwittingly aided a cause to which they are essentially opposed. Thus, a number of them have carelessly lent their signatures to the recent manifesto issued by the so-called Committee for Cultural Freedom. This manifesto denounces in vague, undefined terms all forms of "Dictatorship" and asserts that the Fascist states and Soviet Russia equally menace American institutions and the democratic way of life.

While we prefer to dwell on facts rather than personalities, we feel it is necessary to point out that among the signers of this manifesto are individuals who have for years had as their chief political objective the maligning of the Soviet people and their government, and it is precisely these people who are the initiators and controllers of the committee.

A number of other committees have been formed which give lip service to democracy and peace while actually attacking the Soviet Union and aiding reaction. Honest persons apprised by such committees should scrutinize their aims very carefully and support only those groups genuinely interested in preserving culture and freedom and refusing to serve as instruments for attacking the Soviet Union or aiding fascism in any other way.

The undersigned do not represent any committee or organization, nor do they propose to form one. Our object is to point out the real purpose behind all these attempts to bracket the Soviet Union with the Fascist states, and to make it clear that Soviet and Fascist policies are diametrically opposed. To this end we should like to stress ten basic points in which Soviet socialism differs fundamentally from totalitarian fascism.

1. The Soviet Union continues as always to be a consistent bulwark against war and aggression, and works unceasingly for the goal of a peaceful international order.

2. It has eliminated racial and national prejudice within its borders, freed the minority peoples enslaved under the Tsars, stimulated the development of the culture and economic welfare of these peoples, and made the expression of anti-semitism or any racial animosity a criminal offense.

3. It has socialized the means of production and distribution through the public ownership of industry and the collectivization of agriculture.

4. It has established nation-wide socialist planning, resulting in increasingly higher living standards and the abolition of unemployment and depression.

5. It has built the trade unions, in which almost 24,000,000 workers are organized, into the very fabric of its society.

6. The Soviet Union has emancipated woman and the family, and has developed an advanced system of child care.

7. From the viewpoint of cultural freedom, the difference between the Soviet Union and the Fascist countries is most striking. The Soviet Union has affected one of the most far-reaching cultural and educational advances in all history and among a population which at the start was almost three-fourths illiterate. Those writers and thinkers whose books have been burned by the Nazis are published in the Soviet Union. The best literature from Homer to Thomas Mann, the best thought from Aristotle to Lenin, is available to the masses of the Soviet people, who themselves actively participate in the creation of culture.

8. It has replaced the myths and superstitions of old Russia with the truths and techniques of experimental science, extending scientific procedures to every field, from economics to public health. And it has made science and scientific study available to the mass of the people.

9. The Soviet Union considers political dictatorship a transitional form and has shown a steadily expanding democracy in every sphere. Its epoch-making new constitution guarantees Soviet citizens universal suffrage, civil liberties, the right to employment, to leisure, to free education, to free medical care, to material security in sickness and old age, to equality of the sexes in all fields of activity, and to equality of all races and nationalities.

10. In relation to Russia's past, the country has been advancing rapidly along the road of material and cultural progress in ways that the American people can understand and appreciate.

The Soviet Union has an economic system different from our own. But Soviet aims and achievements make it clear that there exists a sound and permanent basis in mutual ideals for cooperation between the U. S. A. and the U. S. S. R. on behalf of world peace and the security and freedom of all nations.

Accordingly, the signers of this letter urge Americans of whatever political persuasion to stand firmly for close cooperation in this sphere between the United States and Soviet Russia, and to be on guard against any and all attempts to prevent such cooperation in this critical period in the affairs of mankind.

Among the 400 signers of the open letter are:

- Dr. Thomas Addes, professor of medicine, Leland Stanford University
 Helen Alfred, executive director, National Public Housing Conference
 Prof. Newton Arvin, professor of English, Smith College
 Dr. Charles S. Bacon, honorary president, American Russian Institute, Chicago, Ill.
 Frank C. Baumcroft, editor, *Social Work Today*
 Maurlee Becker, artist
 Louis P. Birk, editor, *Modern Age Books*, Inc.
 T. A. Bisson, research associate, Foreign Policy Association
 Alice Stone Blackwell, suffragist, writer
 Marc Blitzstein, composer
 Anita Block, Theater Guild playreader
 Stirling Bowen, poet
 Richard Boyer, staff writer, *The New Yorker*
 Millen Brand, writer
 Simon Breines, architect
 Robert Briffault, writer
 Prof. Dorothy Brewster, assistant professor of English, Columbia University
 Prof. Edwin Berry Burgum, associate professor of English, New York University
 Fielding Burke, writer
 Katherine Dovereaux Blake, teacher
 Mela Berger, writer, widow of the first Socialist Congressman
 Prof. Robert A. Brady, professor of economics, University of California
 J. E. Bromberg, actor
 Bessie Beatty, writer
 Vera Caspary, scenario writer
 Maria Cristina Chambers, of the Authors' League
 Prof. Robert Chambers, research professor of biology, New York University
 Harold Clurman, producer
 Robert M. Coates, writer
 Lester Cohen, writer
 Kyle Crichton, editorial staff of Collier's Weekly
 Miriam Allen De Ford, writer
 Paul de Krulc, writer
 Pietro di Donato, writer
 William Dodd, Jr., chairman Anti-Nazi Literature Committee
 Stanley D. Dodge, University of Michigan
 Prof. Dorothy Douglas, department of economics, Smith College
 Muriel Draper, writer
 Prof. L. C. Dunn, professor of zoology, Columbia University
 Prof. Hankom Chevalier, professor of French, University of California
 Prof. George B. Cressey, chairman of the department of geology and geography, Syracuse University
 Harriet G. Eddy, library specialist
 Prof. Henry Pratt Fairchild, professor of sociology, New York University
 Kenneth Fearing, poet
 Prof. Mildred Fairchild, professor of economics, Bryn Mawr College
 Allee Withrow Field, writer
 Sara Bard Field, writer
 William O. Field, Jr., chairman of the board, American Russian Institute
 Irving Fineeman, writer
 Marjorie Fischer, writer
 Angel Flores, writer, critic
 Waldo Frank, writer
 Wanda Gao, artist
 Hugo Gellert, artist
 Robert Gessner, department of English, New York University
 Prof. Willyardine Goodsell, associate professor of education (retired), Columbia University
 Mortimer Graves, of the American Council of Learned Societies
 Dr. John H. Gray, economist, former president of the American Economics Association
 William Gropper, artist
 Maurlee Halperin, associate editor, *Books Abroad*
 Earl P. Hanson, explorer, writer
 Prof. Samuel N. Harper, professor of Russian language and Institutions, Chicago University
 Rev. Thomas L. Harris, national executive secretary, American League for Peace and Democracy
 Dashiell Hammett, writer
 Ernest Hemingway
 Granville Hicks, writer
 Prof. Norman E. Himes, department of sociology, Colgate University
 Charles J. Hendley, President Teachers' Union of the City of New York
 Leo Huberman, writer
 Langston Hughes, poet
 Agatha Iles, writer
 Rev. Otis G. Jackson, rector of St. Paul's Episcopal Church, Flint, Mich.
 Sam Jaffe, actor
 Orrick Johns, poet
 Matthew Josephson, writer

- George Kauffman, playwright
 Prof. Alexander Kaun, associate professor of Slavic languages, University of California
 Fred C. Kelly, writer
 Rockwell Kent, artist
 Dr. John A. Klingebury, social worker, administrative consultant, WPA
 Beatrice Kinkaid, writer
 Lincoln E. Kirstein, ballet producer
 Arthur Kober, playwright
 Alfred Kreymborg, poet
 Edward Lamb, lawyer
 Dr. Corliss Lamont, writer, lecturer
 Margaret I. Lamont, sociologist, writer
 J. J. Lankes, artist
 Jay Leyda, cinema critic
 John Howard Lawson, playwright
 Emil Lengyel, writer, critic
 Prof. Max Lerner, professor of government, Williams College
 Meridel Le Sueur, writer
 Meyer Levin, writer
 Prof. Charles W. Lighbody, department of government and history, St. Lawrence University
 Robert Morss Lovett, Governor of the Virgin Islands, and editor of The New Republic
 Prof. Halford E. Luccock, Yale University Divinity School
 Katherine DuPre Lumpkin, writer
 Klaus Mann, lecturer, writer, son of Thomas Mann
 Prof. F. O. Matthiessen, associate professor of history of literature, Harvard University
 Dr. Anita Marburg, department of English, Sarah Lawrence College
 Dr. George Marshall, economist
 Alline MacMahon, actress
 Clifford T. McAvoy, instructor, department of romance languages, College of the City of New York
 Prof. V. J. McGill, professor of philosophy, Hunter College
 Prof. Robert McGregor, Reed College
 Ruth McKenney, writer
 Darwin J. Mesrole, lawyer
 Prof. Herbert A. Miller, professor of economics, Bryn Mawr College
 Harvey O'Connor, writer
 Clifford Odets, playwright
- Shaemus O'Sheal, writer, critic
 Mary White Ovington, social worker
 S. J. Perelman, writer
 Dr. John P. Peters, department of internal medicine, Yale University Medical School
 Dr. Emily M. Plerson, physician
 Walter N. Polakov, engineer
 Prof. Alan Porter, professor of German, Vassar College
 George D. Pratt, Jr., agriculturist
 John Hyde Preston, writer
 Samuel Putnam, writer
 Prof. Paul Radin, professor of anthropology, University of California
 Prof. Walter Rautenkranz, professor of industrial engineering, Columbus University
 Bernard J. Reis, accountant
 Bertha C. Reynolds, social worker
 Lynn Riggs, playwright
 Col. Raymond Robins, former head of American Red Cross in Russia
 William Rollins, Jr., writer
 Harold J. Rome, composer
 Ralph Roeder, writer
 Dr. Joseph A. Rosen, former head, Jewish Joint Distribution Board
 Eugene Schoen, architect
 Prof. Margaret Shinnuch, associate professor of English, New York University
 Prof. Frederick L. Schuman, professor of government, Williams College
 Prof. Vida D. Scudder, professor emeritus of English, Wellesley College
 George Selden, writer
 Vincent Sheean, writer
 Viola Brothers Shore, scenario writer
 Herman Shumlin, producer
 Prof. Ernest J. Simmons, assistant professor of English literature, Harvard University
 Irina Skarlattina, writer
 Dr. F. Tredwell Smith, educator
 Dr. Stephenson Smith, president, Oregon Commonwealth Federation
 Hester Sondergaard, actress
 Isobel Walker Soule, writer, editor
 Lionel Stander, actor
 Christina Stead, writer
 A. F. Stelg, artist
 Alfred K. Stern, housing specialist

Senator McCARTHY. I would like to call one to the committee's attention, something I did not suspect before I saw this document. It seems that on September 12, 1949, one of these Communist-front organizations sponsored a dinner for Henry A. Wallace and, believe it or not, the cover charge was \$10.

Now, Mr. Chairman, I understand that you have hired a staff to obtain the complete information on anyone in the State Department or closely related agencies who is suspected of being a bad security risk.

I am, therefore, submitting to the chairman for the attention of the staff a list of 25 names which requires further investigation. All of these individuals to the best of my knowledge are either in the State Department, or in closely related agencies. At least they were very recently.

Senator TYDINGOS. We will look them up.

Senator McCARTHY. I understand all of them have been investigated by the Federal Bureau of Investigation and that such FBI investigations have developed information which is now in the files—information which, according to Acheson's own "yardstick of loyalty" would stamp many, if not all of them, as being bad security risks.

With the very limited staff which I have available (and, as the Chair knows, I have been allocated no funds for this investigation; I have been conducting it completely on my own), it would take me a considerable period of time to develop all of the information on all of these individuals and submit individual cases on each of them to the committee.

I intend, of course, to continue my investigation and assemble all available information which comes to my attention on any of these individuals, which information shall be available to the staff of this committee.

In the meantime, in order to get things started, I believe the staff might well start checking on these individuals. Obviously, the staff could do a much speedier job in that the files, which are not easily available to me, will be available to the committee.

None of the names which I now hand the Chair covers the cases which I covered on the Senate floor.

Let me make that clear. These are additional names, some I had not had time to develop when I made the speech on the Senate floor.

Senator TYDINGOS. We are glad to have them. We will look into them, examine the files, and make a report.

Senator McCARTHY. I thank the chairman.

I shall continue to develop as much information on those cases as possible and will, of course, submit to the committee all such information as soon as I have it properly documented.

I have remaining a considerable amount of information on the balance of these cases covered on the Senate floor, which information is being assembled as rapidly as possible and put into shape to be presented to the committee. This task will be completed as soon as possible.

I now give the Chair, if I may, these names.

Senator TYDINGOS. These are the keys?

Senator McCARTHY. Those are the 25 names that have bad information in their files, information which indicates they should not be there.

Senator TYDINGOS. I am very hopeful that we can get our staff under way some time during the week, and I would like to consult the Senator as to his convenience when he will give us in executive session, as he said he would, the names of the 81 people, some of whom he has since given us in public, but all of the 81 cases that he delineated on the Senate floor, so that we may key the names to the information which the Senator has given us, and when we request the files, make sure that we are requesting them for all the people that he has mentioned in his testimony.

I would like to say to the Senator that it would be very helpful to the committee if we could get all of the names at one time, for this reason: I would like to make the request in writing, confidentially of course, to the proper authorities for all of these files at one time, and provide a safe place, arranged as they come from different departments, where they can all be assembled in one room, so that if the Civil Service files or State Department or any other files are needed, we will have them all in one place, where we can make a thorough and complete investigation of a case without having to go from one department to another, and I am sure the Senator will want it done that way.

Senator McCARTHY. I think it is an excellent idea.

Senator TYDINGS. But unless we have all of the files in one room at the start, it will take us much longer than we need to do it. So I will ask the Senator, as I said, at his convenience, in executive session, today if he would like to, or tomorrow, if he will not give us the keys so that we can turn them over to counsel and our staff and begin the operation of assembling these files.

Senator McCARTHY. Let me say to the Chair that as soon as I have all the information assembled which I have—I think I have considerable information of benefit to your staff.

Senator TYDINGS. We would like to have it.

Senator McCARTHY. It will all be turned over with the names. I have given you the names of 25 that I consider very important, 25 that I have not been able to develop beyond the point of knowing that the files are valuable. The files show that the FBI has given information which, so far as I know, makes them bad security risks under Acheson's own yardstick. The staff will have plenty to do on those 25 and will have no difficulty at all, I am sure, in transmitting to the staff information which I have. I am sure we will get along on that very well.

I might say that before I turn over the Senate floor cases I want to check all of the information, document it, and give it to you. There seems to be a great deal of interest, and rightly so, on the part of people as to just the extent of the information we have on those particular cases.

Senator TYDINGS. I would say to the Senator that during the course of this proceeding if he will come to me with any additional matter that he has not given to us at the start, we will be glad to have it.

In order that there may be no misunderstanding about it, I would appreciate it if the Senator would hand it personally to me until such time as I can designate somebody else to hand it to in the event that I am not available at the moment.

As I understand it, the Senator has now placed his case before us, and he wants us to go ahead and investigate these loyalty files and so on.

Senator McCARTHY. You understand that I have a sizable number of additional cases to lay before the Senator, work that will take, I assume, 2 or 3 or 4 days. Whether the Chair will want it in executive session or in public I frankly do not care.

Senator TYDINGS. How does the Senator want to do it?

Senator McCARTHY. I think, Mr. Chairman, when we refer to men like John Service, Owen Lattimore, individuals of top importance, I believe any facts which we have with regard to them definitely

should be made public. I think those morals cases, which also are extremely bad security risks, obviously should be made in executive session. Then there is an area in between which I frankly don't care whether they are made in public or executive session.

I might say this, outside of the top men, like Hanson, who is taking over this point 4 program, Lattimore, and several other names that I think should be given in public, I think the names better be given in executive session, now that you have a staff to check on them. That is merely my suggestion.

I might say to the Chair I would like to see the Chair follow through his suggestion this afternoon. I can give him information which I think—

Senator TYDINGS. I am going to ask the Senator if he won't hold that information until tomorrow, because I have no place to keep it. I prefer to have the Senator keep it until tomorrow, until I can make some definite arrangements for quarters and one or two other things, protecting the information we get and so on.

What I would like to know is, does the Senator want us to go ahead now, or does he want us to sit to hear more things?

Senator McCARTHY. I will have considerable more, Mr. Chairman, but I would like some time to develop the cases so I can present them in chronological order, with all the information I have. That will take me time:

Senator TYDINGS. I am not questioning it. I am just trying to find out to accommodate the Senator. When does he think he will want to have this stuff available, and how does he want to deliver it to us? Does he want to do it in a session such as we are in now, or does he want to hand it to the committee for investigation? There are five of us on the committee. Whatever way the Senator wants to do it, we will try to accommodate him. We will leave that up to his judgment.

Senator McCARTHY. I thank the Chair, and as I get the other cases in shape I will contact the Chair, and I am sure we can work out something completely satisfactory to both the committee and myself as to how the further facts will be presented.

Senator TYDINGS. In order to make the record straight, I put in the record the first day, cut out, the case numbers from 1 to 81, I think it was, and put those in the record so that we would have that already as a part of the testimony, and I take it for granted the Senator wants that made a part of his sworn testimony.

Senator McCARTHY. I do not mind having it made part of the record. If the chairman wants me to repeat any of it under oath, I will be glad to do so.

Senator TYDINGS. I do not want you to repeat it. I want to know what category it is in. I want to know whether you desire it to be part of your sworn testimony. We can put it in as a part of the Congressional Record, or we can put it in as part of his sworn testimony. Which would he prefer?

Senator McCARTHY. I do not follow the chairman. The chairman has put the evidence in the record. That is the committee's testimony. If I see fit to put any testimony in, I will put it in. Do you follow me?

Senator TYDINGS. What I meant was, the Senator gave us 81 cases on the floor of the Senate. I am not trying to take any advantage of the Senator.

Senator McCARTHY. The Senator would have difficulty doing that.

Senator TYDINGS. I believe I would, and I would not do it if I could. I would like the Senator to believe that. I want him to have a fair chance here in every sense of the word.

Senator McCARTHY. I am sure the Chair does.

Senator TYDINGS. He delineated 81 cases on the floor of the Senate, which I have put in the record. I see no reason why they should not be a part of the Senator's sworn testimony, that he is bringing those cases before the committee.

Senator McCARTHY. The only way you can make those part of the sworn testimony, Mr. Chairman, is to ask me to repeat them. You cannot make an oath retroactive. I do not follow the Chair at all, and I assume the Chair is not a lawyer. There is no way of making an oath retroactive. If the Chair wants me to repeat what I said on the Senate floor, under oath, I will be glad to come in and do that. There is no possible way the Chair can put things in the record and say "Now will you consider that as part of your testimony under oath?"

Let's make this clear. If the Chair wants me to come back here at any time and repeat any part or all of what I said on the Senate floor, and do it under oath, I will be glad to do it. I am not going to try to indulge in some completely impossible and ridiculous procedure of trying to make an oath retroactive.

Senator TYDINGS. I have no disposition to make it retroactive. What I thought was, the Senator has testified under oath. He has also delineated certain cases on the Senate floor. I simply wanted to ask him if the remarks he made on the Senate floor, and which are now a part of the record, he wishes included in his sworn testimony, or whether he wishes them not included in the sworn testimony. That is all I asked the Senator.

Senator McCARTHY. Mr. Chairman, regardless of what my wishes are, the only way I can make them part of the sworn testimony is to swear to them, either in affidavit form or repeat them. If the Chair desires them put in affidavit form, if he wants me to repeat them, I will be glad to take that up with him. Otherwise, the Chair has introduced them.

Senator TYDINGS. All right, if the Senator does not want to make them part of his sworn testimony.

Senator McCARTHY. I will make it part of my sworn testimony if the Chair wants me to come in and repeat it. There is no way of making an oath retroactive.

Senator TYDINGS. Certainly there is. All he needs to say is "All the things I gave in these cases on the Senate floor I would like considered a part of my sworn testimony." It is just as simple as that. There is no trick about that.

Senator McCARTHY. I am telling the Chair it can't be done, but if he wants me to come in and read that part of the Congressional Record under oath, I will be glad to do that at any time, this afternoon.

Senator TYDINGS. I was asked by some committee members to ask that question of the Senator, and I have discharged my obligation to them.

Whenever the Senator wants to return to the stand, all he has to do is to tell the chairman.

Senator McCARTHY. I thank the chairman very much.

Senator TYDINGOS. I would like to ask if Judge Dorothy Kenyon is in the room? I don't know her. She may have some friends in the room. We are counting on hearing her at 2:30 this afternoon unless when I get to my office I find she has requested a postponement to another day. So far I have received no such message, so unless that is received, we will proceed, as scheduled yesterday, at 2:30, to hear Judge Kenyon.

(Whereupon, at 12:20 p. m., a recess was taken until 2:30 p. m. of the same day.)

AFTERNOON SESSION

Senator TYDINGOS. The committee will come to order.

For the record, the day that Senator McCarthy testified, bringing in the name of Miss, or Judge Dorothy Kenyon, I received a telegram, either that day or the following morning, I think that night, in which Miss Kenyon asked me to accord her the privilege of a hearing.

I immediately replied and told her that I would be glad to set Tuesday, today, as the time when she might come before this committee and answer any remarks or charges which Senator McCarthy had made, and asked her was that satisfactory.

I immediately received another telegram from Judge Kenyon in which she said Tuesday would be satisfactory, and she is here in response to those telegrams.

So that Judge Kenyon may know what the powers of this committee are, and what its duty is, and I think we owe it to her, she may not have seen the formal resolution which brought us into being, I would like to read it before she testifies.

This is Senate Resolution 231. It was agreed to on February 22, 1950. The resolution reads as follows:

That the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are or have been employed by the Department of State. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as it may deem desirable, and if said recommendations are to include formal charges of disloyalty against any individual, then the committee, before making said recommendations, shall give said individual open hearings for the purpose of taking evidence or testimony on said charges. In the conduct of this study and investigation, the committee is directed to procure, by subpena, and examine the complete loyalty and employment files and records of all the Government employees in the Department of State and such other agencies against whom charges have been heard.

Senator McCarthy, on the first day he appeared before our committee in open hearing, made certain statements, Judge Kenyon, in which your name was drawn.

You are now at liberty to proceed to answer them in such manner as you deem fit.

Before you testify, will you stand and raise your right hand.

Do you solemnly promise that the testimony you shall give in this matter pending before the committee, in accordance with Senate Resolution 231, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Miss KENYON. I do.

Senator TYDINGS. Take a seat, Judge. You may proceed.

**TESTIMONY OF MISS DOROTHY KENYON, ACCCOMPANIED BY
THEODORE KIENDL, COUNSEL**

Miss KENYON. Thank you very much, Mr. Chairman, for giving me this opportunity to appear.

My name is Dorothy Kenyon. I live at No. 483 West Twenty-first Street, New York City. I am a practicing lawyer with offices located at No. 50 Broadway, New York City.

When I was informed of the accusations that were made against me before this subcommittee last week, I did explode. Doubtless my indignation led me to make some impulsive remarks in unparliamentary language. Reflection, and a recollection refreshed by such investigation as I could make in the interim, now permits a more dispassionate approach. However, nothing can diminish the deep resentment I feel that such outrageous charges should be publicized before this subcommittee and broadcast over the entire Nation without any notice or warning to me.

My answer to these charges is short, simple, and direct. I am not, and never have been disloyal. I am not and never have been, a Communist. I am not, and never have been a fellow traveler. I am not, and never have been, a supporter of, a member of, or a sympathizer with any organization known to me to be, or suspected by me of being, controlled or dominated by Communists. As emphatically and unreservedly as possible, I deny any connection of any kind or character with communism or its adherents. If this leaves anything unsaid to indicate my total and complete detestation of that political philosophy, it is only because it is impossible for me to express my sentiments. I mean my denial to be all-inclusive.

So absolute a negation of the charges should be supplemented with an equally positive, but brief, affirmation of what I am and have been.

I received my A. B. degree from Smith College and my law degree—doctor juris—from New York University Law School. I am a member of Phi Beta Kappa and have been for several years a senator of the United Chapters of Phi Beta Kappa.

I come of a family of lawyers, my father having been a patent lawyer in New York City where my brothers and a cousin now practice under the firm name of Kenyon & Kenyon. My father's cousin, William S. Kenyon, was for many years a member of the United States Senate and later a Federal judge in Iowa.

I was admitted to the bar in 1917 and have practiced law continually ever since, except during certain periods when I held public office. Mine is a general practice. I am a member of the Bar Association of the City of New York, the New York County Lawyers' Association, the New York State Bar Association, the American Bar Association, the National Women Lawyers' Association, the American Society of International Law, the American Branch of the International Law Association and several others.

I have held public office three times, first from June 1, 1936, to December 31, 1937, 2 years, as deputy commissioner of licenses by appointment of Mayor Fiorello LaGuardia; second from January 1,

1939, to December 31, 1939, 1 year, as municipal court judge in New York City, also by appointment of Mayor LaGuardia; and third, from January 1, 1947, to December 31, 1949, as United States delegate to the Commission on the Status of Women of the United Nations, by appointment of President Truman, ratified and confirmed by the Senate. I was also appointed in January 1938 by the League of Nations as one of a Commission of seven jurists—of whom I was the only American—to study the legal status of women throughout the world. This Commission continued to operate until the war made further communication between its members impossible. I have also served on a number of governmentally appointed commissions and committees dealing with such varied subjects as the regulation of employment agencies, minimum-wage legislation, consumer-cooperative corporations, problems growing out of the wartime employment of women, et cetera. I have also done a small amount of labor arbitration.

My interest in good government led me early into the ranks of the League of Women Voters, of which I have been a member for almost 30 years and which I have served in many capacities and offices. It also led me into the Citizens Union of New York, of whose executive committee I have been a member for almost 20 years. When the American Labor Party was formed in New York I was one of its earliest members, but I left it after our efforts to save it from Communist domination finally failed.

I have here, Mr. Chairman, an exhibit, copies of which I am giving to all the members of the subcommittee; it is dated, the Daily News, Wednesday, February 14, 1940. It is announcing the setting up of a committee to fight the Communist attempt to capture the Labor Party, and I was one of the vice presidents of that organization.

Senator TYDINGS. Would you pause until we can look at the exhibit?

Miss KENYON. Yes.

Senator TYDINGS. Do you want to read it in, yourself?

Miss KENYON. No, no, I have read everything, Mr. Chairman, that is of importance; and I am leaving the whole statement with the exhibits attached. I have a number of other exhibits.

Senator TYDINGS. Just a moment.

Miss KENYON. Yes.

Senator TYDINGS. Miss Kenyon, would you be kind enough to identify for us, this document again, and to tell us in a brief way, for the information of the press, who may not have copies of it, and who want to know—briefly what is it all about?

Miss KENYON. Yes. It is a statement that appeared in the Daily News, a New York newspaper, on Wednesday, February 14, 1940, announcing the setting up of a liberal and labor committee to safeguard the American Labor Party and to fight the Communists' attempt to capture that labor party, and my name is there listed as one of the vice chairmen.

I am simply offering that as documentary evidence.

Senator TYDINGS. I think that identification is sufficient. It will be accepted as exhibit 49.

I will say to the press: I will leave a copy here on the table, as we have some extra ones, and should you gentlemen wish to familiarize yourselves with this to a greater extent, go ahead.

All right, Judge Kenyon, proceed.

Miss Kenyon. I am now an enrolled Democrat. I am also a member of Americans for Democratic Action.

My interest in civil liberties led me equally early into the ranks of the American Civil Liberties Union, of which I have been a member of the board for almost 20 years. In that connection I have fought on many civil liberties issues and have participated in many briefs amicus in defense of the bill of rights.

My interest in education, in labor problems, and in the problems of women made me an early member of the American Association of University Women, of which I am now second vice president. I am also a member of the national board of the Young Women's Catholic Association, a director of the Women's City Club of New York, the Association for the Aid of Crippled Children, and the Committee of Women in World Affairs. I was also for many years on the board of the Consumers' League of New York and was for a time its president. I am also a member of numerous other women's organizations.

I am, and always have been, an independent, liberal Rooseveltian Democrat, devoted to and actively working for such causes as the improvement of the living and working conditions of labor and the preservation of civil liberties. To the latter cause especially I have given much time and attention and have made speeches on that subject for many years in various parts of the country. At times I have espoused unpopular causes in that connection and have probably made some enemies of those who disagreed with my views.

I am, and always have been, an ardent, outspoken American citizen, yielding to no one in my admiration of the great privileges this country offers to all its sons and daughters, and determined to do all I can to maintain those privileges inviolate forever. I am, and always have been, unalterably opposed to anyone who advocates the overthrow of our Government by force or violence, or who otherwise engages in subversive activities or entertains subversive ideas.

I am not content to rely on these general denials and observations, however, and I therefore proceed to deal more specifically with the charges against me. In substance, as I understand it, it is claimed that it can be established by documentary proof that I have been at some time a member of 28 or more Communist-front organizations and therefore stand convicted under the doctrine of guilt by association.

Thus far I have not been confronted with this documentary proof and as I am totally unaware of the contents of most of the documents, I am in no position to make any categorical denials or assertions regarding such statements as they may contain. Here and now, however, I can and do state, with the absolute confidence borne of my personal and positive knowledge, that there does not exist and never has existed any genuine document that proves, or even tends to prove, that I have ever knowingly joined or sponsored or participated in the activities of any organization known to me to be even slightly subversive.

Frankness and caution admonish me to avoid creating false impressions or otherwise putting myself in the position of the lady who protested too much. I cannot and do not deny that my name may have been used, even at times with my consent, in connection with organizations that later proved to be subversive but which, at the time, seemed to be engaged in activities or dedicated to objectives

which I could and did approve. Nevertheless I challenge and defy anyone to prove that I ever joined, or sponsored, or continued to identify myself with any organizations or individuals I knew, or had reason to believe, were subversive.

I do not even know the names of all the 28 or more Communist-front organizations I am supposed to have joined. I have taken the list of organizations from the published reports in the press. The names may not be quite accurate, and the list is apparently incomplete, or else my arithmetic is wrong. It is impossible for me to identify some of the names and events described in those charges. I have done the best I could, however, in the brief time since hearing of them and have searched my files, and my own memory in respect to each one. If any further organizations are alluded to today I shall ask the committee's indulgence for time to investigate and make my replies thereon at a later date.

Senator TYDINGS. That will be granted.

Miss KENYON. Thank you very much.

First, let me deny acquaintance with practically every one of the persons mentioned in the charges as being "familiar company" to me, "collaborator," or "fellow red." I do not know and have never to my knowledge laid eyes on Bernard J. Stern, Albert Maltz, Anna Louise Strong, William Gropper, Langston Hughes, Hewlett Johnson, Ben Gold, Lee Pressmen, Whittaker Chambers, Howard Fast, Saul Mills, Ella Winter, John Howard Lawson, Henry H. Collins, Rockwell Kent, Lewis Merrill, Mervyn Rathborne, Dirk J. Struick, Harry Bridges, Paul P. Crosbie, Benjamin J. Davis, Charles Krumbine, Morris V. Schappes, Simon W. Gerson, Louis Weinstock, Irving Potash, Helen Selden, or Josephine Herbst.

I once heard Paul Robeson sing at a concert. Harry F. Ward was, in the thirties—before its Communist purge—chairman of the board of the American Civil Liberties Union and I of course knew him there. Corliss Lamont is still on its board. I met Carol King years ago, before she went "left," but I have seen hardly anything of her in many years. Arthur Kallet's name I vaguely remember, as I vaguely remember Consumer's Union, but he and it date back in my memory at least 15 years and, if he were a Communist then, I did not know it.

I may be pardoned for putting the other names mentioned in a different category. They are Mrs. Dean Acheson, Stanley Isaacs, Philip Jessup, and Franklin Delano Roosevelt. I am proud to say I have had a slight acquaintance with them all.

To repeat, the rest are unknown to me, except as above mentioned, and the innuendoes as to my relationship with them absolutely false.

Now for the organizations themselves.

I begin with the League of Women Shoppers because my connection with that organization, which was set up to investigate labor disputes, is ancient history and it was also very short lived. Evelyn Preston Baldwin, wife of Roger Baldwin, and a close friend of mine, became its president at its founding in 1935 or thereabouts. I was a sponsor. We both withdrew a year or so later. I remember that I did so because I did not approve the way the investigations were being handled. If it was Communist then, neither of us knew about it.

The Political Prisoners' Bail Fund Committee is also ancient history.

I have no documentation on this organization in my files but I remember that I served as sponsor for a short time at the request of Roger Baldwin. Mr. Baldwin, who was a trustee of the fund, tells me that he and others set it up about 1926, to write bail in a great variety of worthy cases, some may possibly have involved Communists but most of them definitely did not. It was liquidated, he tells me, about 1934. He regarded it as wholly nonpartisan and non-Communist. It is significant that it is apparently not on any subversive list. It is described in the charges merely as subsidiary to the International Labor Defense, which is on the subversive list. The connection between them is not stated.

The Consumer's Union is also ancient history. I have never represented Consumer's Union. I had acted as attorney for Consumer's Research in its incorporation and for several years thereafter, prior to 1935, but I never acted for Consumer's Union. Consumer's Union came into existence, as I recall it, following a strike and split-up of the business into two organizations. They both test merchandise and give advice as to good buys. This is where I had my short acquaintance with Arthur Kallet. He was with Consumer's Research and, later, with Consumer's Union.

The Conference on Pan-American Democracy comes next. I find a letterhead in my file listing me as a sponsor of this organization, dated March 4, 1939, along with now Senator Paul A. Douglas, John Haynes Holmes, Quincy Howe, Stanley Isaacs, and Dr. Ralph W. Stockman, all friends of mine. I remember almost nothing about this organization except that I think I may have spoken before it in 1938 or thereabouts. I have never heard of it since. I certainly had no idea at that time that it was Communist, and I am sure my other sponsor friends had no such idea either.

Now for the National Council of American-Soviet Friendship. I was never a member of this organization, but I became a sponsor of it—along with many distinguished people—at the height of the war effort—in 1943, I think it was—when the Russians were making their stand before Stalingrad and many of us believed that friendship with the people of Russia was both possible and good. I withdrew my sponsorship some 3 years later, when I had become convinced that the organization was no longer being used for the purposes stated in its title. Not long ago a friend told me that my name had not been removed from the sponsor's list as I had requested, and I wrote demanding its removal. I quote that letter:

GENTLEMEN: I am advised that you are still carrying my name on your letter-head as a sponsor of your organization.

I became a sponsor in 1943 or 1944 when the Germans were at the gates of Stalingrad and the United States was deep in admiration of the great courage of the Russian people. Anything which looked toward genuine friendship between the peoples of our two countries was highly desirable. Since then, however, your policy, as I have had occasion to observe it in the press, has had less and less to do with development of genuine friendship between the peoples of our two countries and more and more to do with mere apologetics for the Russian Government, which you have supported no less consistently than you have attacked the United States. This is no way to build friendship and it makes a mockery of your name and alleged purposes. My sponsorship of the council as a genuine organ of friendship between the peoples has therefore long since lapsed.

I have previously requested you to remove my name from your list of sponsors and I must now insist that you do so.

Sincerely yours,

Senator HICKENLOOPER. Mr. Chairman, I wonder what the date of this letter is.

Miss KENYON. I have it here.

Senator TYDINGS. June 15, 1949.

Miss KENYON. I assume that my name has been removed by now, although I have no way of being sure. I have no apologies whatever for sponsoring this organization at the time I did and under those circumstances.

As indicative of the standing it had, it is significant that President Roosevelt himself sent a message of greeting to the council at its meeting on November 16, 1944, reading as follows:

I am grateful to you and all those who are celebrating American-Soviet Friendship Day for the words of support and confidence I have received. There is no better tribute we can hold out to our Allies than to continue working in ever-growing accord to establish a peace that will endure. The Dumbarton Oaks Conference was a step in this direction. Other steps will be taken. In line with this objective such meetings as you are holding in Madison Square Garden and in other great centers throughout the United States are of tremendous assistance and value.

It is also significant that President Truman followed it up by another greeting on November 14, 1945, reading as follows:

The President has asked me to extend to you every good wish for the success of the meeting and to assure you of his interest in all efforts to continue the good relations between this country and the Soviet Union.

As for the Red Dean of Canterbury, I certainly never welcomed him at Madison Square Garden or anywhere else.

I never met him. I surmise that the fact that my name remained on the sponsor list longer than it should have is the explanation of this incident.

I have no recollection of sponsoring the dinner in question but, since it was given in honor of President Roosevelt, it would not seem inappropriate had I done so.

American Lawyers' Committee on American Relations with Spain: Now for the group connected with Spain. This committee was apparently working early in 1939 to lift the embargo on Spain, which was defeated by the combined efforts of revolutionary forces within that country plus Hitler and Mussolini. This organization is not on any subversive list that I can find, and I was on it.

Washington Committee To Lift the Spanish Embargo: As for the Washington committee I can find nothing on this in my files and I have no recollection whatsoever.

The Abraham Lincoln Brigade probably belongs in here too. I have no recollection or documentation for this whatever. Furthermore, if the petition which they say I signed really contained a charge that war hysteria was being whipped up by the Roosevelt administration, it is inconceivable that I could have signed it, since I myself was then passionately pro-allied and in process of trying to force our Government into greater and greater activity in their behalf rather than less. I refer to that matter later.

American Committee for Democracy and Intellectual Freedom: I have no recollection or documentation in respect to signing a petition in my files. I do have correspondence, however, showing that in 1940 I accepted membership on a citizens' committee to promote free public education. The letterhead lists many distinguished col-

lege presidents and professors, including Miss Park, the former president of Bryn Mawr, and Prof. Harold Urey. This organization is not on the Attorney General's list.

Greater New York Emergency Conference on Inalienable Rights: I can find nothing on this in my files, and I have no recollection of it, but I find a press clipping reporting a meeting held in New York February 15, 1940, at which Newbold Morris and Mary Woolley, former president of Mount Holyoke College, were listed as speakers.

Advisory Board of Film Audiences for Democracy, and Advisory Board of Films for Democracy: I can find nothing on either of these organizations in my files, and there is nothing in my memory. I may possibly have made a speech before them. Neither of them are on any subversive list that I can find.

Schappes Defense Committee; Daily Worker Letter on Simon W. Gerson; American Committee for Anti-Nazi Literature; Advisory Committee of the Citizens' Committee To Aid Striking Seamen; and Milk Consumers' Protective Committee: I can find nothing on any of these matters in my files and have no memory of them except a vague recollection of the Gerson and Schappes controversies. If I participated in either of them in any way I have completely forgotten it and I am certain that I never approved or endorsed Communist activities in those or any other matters.

Congress of American Women: This is one organization I know something about. It is the American affiliate of the Women's International Democratic Federation, a wholly Moscow controlled body over which I have been battling with Mme. Popova of the USSR at the United Nations for all the years since the creation of the Commission on the Status of Women. To charge me with membership in this organization is nothing short of fantastic.

This completes the roster of specific charges.

One general charge remains, my "constant adherence to the * * * party line," as evidenced by this alleged multiplicity of associations, actually boiled down to a handful and most of them before 1940. Well, how about it? Is this all I have done? Is this the whole of my life? Emphatically, no. I have done many other things, some of them strangely inconsistent with the party line, some of them in flat contradiction to it. Let's look at the record in the round and not just a distorted fragment.

In the early years of my life I knew very little and cared less about Communists. They were an utterly negligible factor in my life. During the thirties, however, as world tension increased, they began showing their hand, and by the end of that period, I, like others, had come to know and loathe their philosophy. The signing of the Hitler-Stalin pact in October 1939 suddenly made the issues startlingly clear. I voiced those issues in a letter I wrote to Alex Rose, secretary of the American Labor Party, under date of October 10, 1939, as a statement for him to use in conjunction with my candidacy as judge of the municipal court:

Senator TYDINGS. One minute, Judge Kenyon, please.

Miss KENTON. May I proceed, Mr. Chairman?

Senator TYDINGS. Just a second, please.

Miss KENTON. There are three particularly important paragraphs.

Senator TYDINGS. Do you want to put the whole thing in the record?

Miss KENYON. Yes; but I would like to read now the significant paragraphs.

Senator TYDINGS. Go right ahead. This will be exhibit 50.

Miss KENYON (reading):

First, I regard with horror and loathing the Hitler-Stalin pact.

Second, I agree with you that any fusing of the brown and red dictatorships is a treacherous blow to world civilization.

Third, I also agree, insofar as I understand them, with the President's proposed changes in our present neutrality law. But frankly I have been far too busy lately trying to be as good a judge as possible to have given such legislation the careful study it requires.

Fourth, It is not easy for me to be neutral when I think of either Hitler or Stalin but I try not to lose my head and I continue to believe in the traditional American civil liberties. Above all I hope that we may keep at peace and still preserve American democracy.

Fifth, it goes without saying (or I should have thought it did) that I am not a Communist or anything even remotely resembling one. I am just an old-fashioned believer in democracy who gets awfully weary sometimes of all its ructions but would never, never give it up.

Senator TYDINGS. That is dated October 10, 1939?

Miss KENYON. Yes; that is right.

Events moved so quickly after that, by February 1940, we had been forced to form a liberal and labor committee, of which I was a member, vice president, to safeguard the American Labor Party and to fight the Communist attempt to capture it.

I have already presented you with that document, Mr. Chairman.

At the same time the American Civil Liberties Union found it necessary to purge from its own board all nonbelievers in civil liberties. This action barred from its governing councils anyone "who is a member of any political organization which supports totalitarian dictatorship in any country, or who by his public declarations indicates his support of such a principle." Within this category we include organizations in the United States supporting the totalitarian governments of the Soviet Union and of the Fascist and Nazi countries—such as the Communist Party and the German-American Bund and others; as well as native organizations with obvious antidemocratic objectives and practises. Needless to say, I was not one of those purged, and I am still a member of that board.

The Communist party line in 1940-41 was antiwar, anti-French and anti-British. But that was not my line. Being, on the contrary, passionately pro-French and pro-British I became increasingly anxious to aid them as the months passed by, first by all means short of war and later by war itself if need be.

I was one of the original members of the so-called William Allen White Committee to Defend America by Aiding the Allies. William Allen White in a telegram invited me to join, saying:

Here is a life and death struggle for every principle we cherish in America, for freedom of speech, of religion, of the ballot, and of every freedom that upholds the dignity of the human spirit. Here all the rights that the common man has fought for during a thousand years are menaced. Terrible as it may seem, the people of our country cannot avoid the consequences of Hitler's victory or of those who are or may be allied with him. A totalitarian victory would wipe out hope for a just and lasting peace.

I submit a copy of the complete telegram of William Allen White.

Senator TYDINGS. And the date of that is June 19, 1940?

Miss KENYON. June 19, 1940.

I think the telegram was sent a bit before that, but that was after the committee was organized.

I favored giving Great Britain overage destroyers, I favored lend-lease, selective service, et cetera, et cetera. I made many speeches during that period extolling freedom, urging aid to the Allies and criticizing the isolationists and the Communists alike for their opposition.

On May 26, 1941—a month before Hitler attacked Russia—I joined with other members of that committed in an open letter to the President of the United States, in effect inviting him to declare war on the dictators. It read in part:

We cannot close our eyes to the wholesale murder of liberty * * * The dictators have extended their world war and world revolution from continent to continent * * * The challenge is inescapable. We know that strong action, even armed action, will be required of us.

This was signed, among many others, by Mrs. J. Borden Harriman and Ambassador Lewis W. Douglas.

I am attaching a photostat of that letter.

Shall I proceed, Mr. Chairman?

Senator TYDINGS. You may proceed. That will be exhibit 51.

Miss KENYON. All right, thank you.

This history of my efforts during the crucial years 1940-41 hardly needs any gloss but it should give pause to those who dare to call me a Communist.

After Russia had been attacked we all changed our viewpoint slightly and many of us made earnest efforts to be friends with our new allies. I do not apologize for that impulse or effort. I think it was right and good.

However, we failed. When the war ended the cold war began and it is intensifying. I have been in the thick of it. Confronted with Madame Popova of the U. S. S. R. at the United Nations I have had a fight on my hands from the outset. At the first meeting of our Commission on the Status of Women held in February 1947, she sought preferential treatment for her particular pet organization, the Women's International Democratic Federation—of which the Congress of American Women is the United States affiliate. I battled her on eight different occasions during that first meeting on that one issue alone, practically single-handed since most of the other delegates did not yet know what it was all about. They know now, however. The reports and summary records of the Commission's proceedings tell the tale.

The struggle went on at subsequent commission meetings. It reached its peak at Beirut, Lebanon, last spring—see New York Times clipping of March 26, 1949, which I have here to present to you.

Senator TYDINGS. Do you want to put that in the record at this point?

Miss KENYON. We only have the one copy.

Senator TYDINGS. Put that in the record at this point, if you have the original copy.

Miss KENYON. Yes.

Senator McMAHON. Are you mentioned in that clipping?

Miss KENYON. Certainly. Madame Popova and I are it.

Senator TYDINGS. Just hold up for a moment, please.

Senator GREEN. I request that it be put in.

Senator TYDINGS. It has been requested, Judge Kenyon, if you do not mind, if you identify the article by the paper in which it appeared, and the date under which it appeared, and read the article into the record.

Miss KENYON. You want me to read it now?

Senator TYDINGS. If you please.

Miss KENYON. There are two of them.

Senator TYDINGS. Two?

Miss KENYON. One is dated March 26, 1949, and the other is dated December 16, 1948.

Shall I read the first one first?

Senator TYDINGS. I think it would be wiser if you were to read the first one first.

Do you have a copy of the first one?

Miss KENYON. I have, but not of the second one.

This, Mr. Chairman, appeared in the New York Times under date of Thursday, December 16, 1948, and this is a speech I made in New York City.

The headline says: "Dorothy Kenyon says women's equality with men in Russia is one of slavery."

"Women in Russia undoubtedly have more equality in a greater variety of jobs than do American women, but it is an equality of slavery," Dorothy Kenyon, United States delegate to the United Nations Commission on the Status of Women, declared here yesterday.

At a luncheon of the Women's City Club of New York at the New Weston Hotel, Miss Kenyon charged that statements by Prof. A. P. Pavlov and other Soviet Union delegates at recent United Nations sessions that women in the United States and Great Britain were living in slavery were for political consumption abroad. She said non-Russian delegates were placed on the defensive, and she intended to take the offensive at the next commission meeting.

"The Russians have made a lot of noise about equality, but I wonder whether women there are any more in the driver's seat than they are in this country," she said. "I have never been able to discover any Soviet woman, except for Alexandra Kollontay, for many years their Minister to Sweden, in a position of real power."

Pointing out there never had been a woman member of the Politburo and that there was now none either on the central committee of the Communist Party, she said the Russians made much propaganda of the fact that 21 percent of the Supreme Soviet is made up of women. But she contended that this was of no significance, as the body sits only a few days a year for unanimous approval of Government proposals. In newspaper pictures of Moscow celebrations, she declared, "there are not even women used as window-dressing."

Although she said the United States should place more women in the Cabinet and have more Representatives in Congress, Miss Kenyon pointed out that at least here they were not prevented from running for office. But in Russia, she declared, "not one of our Russian sisters has run for election as we know it," but are merely handpicked if the Communist Party chooses them to run.

"If women are to achieve recognition as equal citizens the world over, we had better admit our difficulties and team up to help each other meet them," she declared. "Paper participation in government is too flimsy a foundation to advance the principles of democracy or of women's rights."

Shall I read the next one now, Mr. Chairman?

Senator TYDINGS. What is the committee's pleasure?

Senator McMAHON. Yes.

Senator TYDINGS. Yes, read the next one.

Miss KENYON. This is a little long.

It was before I went to Lebanon.

Senator TYDINGS. Identify the article, please.

Miss KENYON. This appeared in the New York Times under date of Saturday, March 26, 1949.

The headlines are "United States, Soviet women clash on rights of wives of foreigners under Russian restrictions."

Then, it says:

BEIRUT, LEBANON, March 25.—A long and bitter attack on the United States by Soviet delegate Elizaveta A. Popova was strongly opposed here today by other delegates of the United Nations Commission on the Status of Women. These delegates included Judge Dorothy Kenyon of the United States who pleaded that the commission be permitted to get on with its work.

The Soviet representative's criticism of alleged racial discrimination and other faults of United States society followed Judge Kenyon's presentation of a proposal for the convention to guarantee women's freedom to choose their nationality. The aim of the proposal is to adjust the tangle of legislation that endangers women's status through international marriage, she said.

Judge Kenyon again brought into the foreground the reason for the Soviet opposition, which had caused a crisis previously in the commission's transactions—the Russian refusal to permit Soviet citizens married to foreigners to reside abroad with their husbands.

Describing this policy as an outrageous limitation on the rights of women, Judge Kenyon said that in addition to the Russian wives of British subjects there were now 350 Russian wives of United States citizens who could not leave Russia with their husbands and 65 Russian husbands of American girls who were equally restricted.

The principal business of the present meeting has been to lay the groundwork for a convention and the implementation of treaties to disentangle the maze of conflicting regulations of various countries on the subject of a woman's nationality after marriage to a man of another nationality.

The United Nations Secretariat has prepared elaborate studies of the law and treaties. However, the Soviet delegate rejected the whole project before discussion of any data had begun. She said:

"This is not a matter for the Commission on the Status of Women to study. Our problem is discrimination against women. Why was this problem brought to our attention at all?"

She then charged discrimination in the United States and gave no further attention to the nationality issue. She said that 15 States of the United States prohibited mixed marriages between Negroes and whites, that 5 prohibited marriages with Malays and 5 with Indians, and demanded to know where the principle of women's freedom of choice existed in the United States.

She added that in some States officials were punished for issuing licenses for mixed marriages and that in Mississippi any propaganda for mixed marriages or even equality was prohibited.

Judge Kenyon indicated that only recognition of a woman's right to choose her own nationality as freely as man would be the solution. This view was opposed later by a spokesman for the Catholic Feminine League who pleaded for the principle of unity of the family. She said that a man and a woman were not equal in all things, though equal in dignity, and that they had different functions in society.

The commission adopted a resolution calling for investigation by the United Nations of the application to women throughout the world of penal and police procedure. This is expected to be opposed by Russia since it would involve an investigation of penal labor camps.

That is the conclusion of that, Mr. Chairman.

May I proceed?

SENATOR TYDINGS. You may proceed.

MISS KENYON. The culmination of it was when, after bitter debate over many things, including equal pay for equal work, I finally demanded of Mme. Popova whether women received equal pay for equal work in the Soviet slave labor camps.

The issue was always slavery versus freedom. I raised the point over and over again in writing, speeches, at meetings, even over the Voice of America.

Eventually Moscow answered back. Maria Sharikova, assistant chairman of the Moscow Soviet on the rights of women is reported on January 5, 1949, to have said:

Dorothy Kenyon, in endeavoring to conceal her reactionary stand has engaged in slandering the Soviet people, in particular Soviet women. In a radio broadcast over the Voice of America, she talks a lot of irresponsible drivel attempting to deny the political, economic, and social equality enjoyed by the women of the U. S. S. R., at the same time painting a glowing picture of the position of women in Britain and the United States, when she knows full well what their position really is. "I am shocked at this shameful downright lie, completely unsupported by the tiniest fact." As it happens, Dorothy Kenyon could not quote facts for that would at once disprove her assertions.

Dorothy Kenyon had engaged in slandering the "freest women on earth, the women of the U. S. S. R." However, as any of the thousands of visitors to the U. S. S. R. can witness, "the slander indulged in by Dorothy Kenyon can hoodwink no one."

Mr. Chairman, I offer that entire gem in evidence as exhibit 52. That is a State Department release quoting that release from Moscow in toto.

This is my defense. What does it add up to? With all the mistakes and errors of judgment which the best of us can and do commit only too frequently, I submit that the record proves without question that I am a lover of democracy, of individual freedom and of human rights for everybody, a battler, perhaps a little bit too much of a battler sometimes, for the rights of the little fellow, the under dog, the fellow who gets forgotten or frightened or shunned because of unpopular views; but who is a human being just the same and entitled to be treated like one. The converse of these things; dictatorship, cruelty, oppression, and slavery are to me intolerable. I cannot live in their air, I must fight back. This is not perhaps a very wise or prudent way to live but it is my way. It has got me into hot water before and probably will again. But my faith in people and my impulse to fight for them is my religion and it is the light by which I live. I also believe that it is America. There is not a Communist bone in my body.

This is a matter of grave consequence to me. Literally overnight, whatever personal and professional reputation and standing I may have acquired after many years in private practice and some in public office, they have been seriously jeopardized, if not destroyed by the widespread dissemination of charges of Communistic leanings or proclivities that are utterly false. The truth may never catch up with the lie, but insofar as I can, I desire to regain as much of what I have lost as possible and I have faith that this subcommittee will see that justice is done. Of course, I am more than willing to attempt to answer any questions the members of this subcommittee, or anyone permitted by the subcommittee, may care to ask. I conclude with an expression of my appreciation of the opportunity and privilege afforded me so promptly, to answer these charges at this public hearing.

Senator TYNDERS. I will ask our guests, no matter what the testimony may be, whether it pleases them or displeases them, to kindly refrain from any applause or any other demonstration, because if we permit it in one case, we will have to permit it in another, and we are trying to conduct a very careful investigation and we would appreciate if those who come, no matter what your impulses may be, would not give us any demonstration.

Senator Hickenlooper, would you like to ask the witness any questions?

Senator HICKENLOOPER. Yes, Mr. Chairman, I would like to canvass the situation a little bit with Judge Kenyon.

I want to say, at the outset, Mr. Chairman, that I told the committee that while I thought it was perfectly proper to have Judge Kenyon come here and make such a statement as she cared to make, that I felt that no adequate or satisfactory canvass of the situation surrounding the accusations of Judge Kenyon's membership in these organizations which have been declared subversive by various public bodies, could be had without full and complete access, prior access to the investigative files in connection with Judge Kenyon.

The committee has not seen fit to produce those investigating files for my perusal at this point, so that I feel that any examination at this time, while perhaps eventually adequate, I cannot be certain that it has a sufficient background of all the facts upon which to base questions, but I do have some questions I would like to ask Judge Kenyon if I may.

In the first place, I would like to canvass some of these organizations, and I may say, Mr. Chairman, that my questions are based entirely upon my understanding that Senator McCarthy did not charge Judge Kenyon with being personally subversive or with being a Communist. I believe the charges went to the point of charging her with membership in a substantial number of organizations which have been declared subversive by various public bodies.

Senator TYDINGS. May I interrupt?

Senator GREEN. May I reply to that?

Senator TYDINGS. Let me read the resolution.

Senator GREEN. May I reply to that point?

Senator TYDINGS. All right.

Senator HICKENLOOPER. May you reply? I am stating my understanding.

Senator GREEN. I think you have misunderstood the purpose of the resolution, which was read at the beginning of this hearing.

The purpose of the resolution is to authorize and direct us to investigate charges of disloyalty, so the charges that were made against Miss Kenyon were charges of disloyalty. That is what she directed her answers to, and it seems to me that further questions ought to be directed to that point.

Senator HICKENLOOPER. Do I understand that the Senator—

Senator TYDINGS. Just a minute. There is evidently a dispute here. Let the chairman read the resolution himself, and he will take no further part in it:

That the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are or have been employed by the Department of State.

Proceed.

Senator HICKENLOOPER. If the subcommittee is to be limited to the very artful interpretation that is now apparently put on the resolution, then I certainly should be handicapped and completely limited in the questions I think should be asked in the general public interest of examining this matter.

Senator TYDINGOS. Go ahead with your question.

Senator HICKENLOOPER. Judge, I believe that you were alleged to have been a member of the Consumers National Federation Conference Committee, or the Consumers National Federation, which was cited as a Communist front by the Special Committee on Un-American Activities, in its report of March 29, 1944, and in 1943, by the California Committee on Un-American Activities; and by the New York City Council Committee on Investigating the Municipal Civil Service Commission.

I have a photostat, alleging that it is copied—

Miss KENYON. Give me the name again, Senator, because I have not heard that name before.

Senator HICKENLOOPER. Consumers National Federation. I have a photostat of your name among the list of individual sponsors of that organization.

Miss KENYON. And the date?

Senator HICKENLOOPER. December 11 and 12, 1937, apparently this document was published. You may see it if you like.

Miss KENYON. I would be very happy to, yes.

This, Mr. Chairman, is not one of the organizations which was in the public print that I had, that was released last week. I remember nothing about it.

Senator HICKENLOOPER. The list of names is on the second page.

Miss KENYON. Yes.

I will tell you, Senator, what I remember, if I have got the name correct, because there are an awful lot of names that are very confusing, and it is difficult to tell.

I have a recollection of a group concerned with consumers' problems that was formed around the middle of the thirties, about this date, probably, and that I went and made a speech at one of their meetings, and that I was probably perhaps connected with for a little while and later I decided that I did not like the tone or complexion or company that I was keeping, and I got out very early and washed my hands of it and never had anything to do with it for many, many years.

I do not know what my files may show, but that is my recollection.

Senator HICKENLOOPER. Do you have any recollection of that particular organization, or your sponsorship?

Miss KENYON. That is what I say I think I am talking about—that organization. That is my recollection—of one where I did not like the company. I went and made a speech and did not like the company I was keeping and after a very few months, I got out and had nothing further to do with it.

Senator HICKENLOOPER. Do you recall whether you got out by writing a letter of resignation, or just not going?

Miss KENYON. I cannot recall anything about that. I only know, Senator, my recollection is I washed my hands of it long ago, because I suspected the people. I will be very glad to look it up in my files and see if I can find anything further.

Senator HICKENLOOPER. As far as you recall, you attended just one meeting of the organization?

Miss KENYON. That is right. That is what I remember—making a speech on consumers' problems, a very good speech and they liked it, and I think they asked me to be a sponsor. That was my misfortune.

Senator HICKENLOOPER. Do you recall the American Committee for Democracy and Intellectual Freedom, in New York City?

Miss KENYON. I think I made a speech there. That was not one of the names given by Senator McCarthy last week, this is a new one on me.

Senator HICKENLOOPER. I have a photostat, alleged to be a copy of the list of sponsoring people, and you are listed as Dorothy Kenyon, former justice, New York City. This organization was cited as a Communist front by the Committee on Un-American Activities in 1942 and 1944; by the California Committee on Un-American Activities, in their report in 1948; cited as subversive and un-American by the special committee of the House Committee on Appropriations, April 21, 1948.

Miss KENYON. What is that? I beg your pardon, I do not want to interrupt.

What did you say; what was the date allegedly of my participation?

Senator HICKENLOOPER. You understand, I have no first-hand knowledge, and these are alleged to be photostatic copies of the documents.

Miss KENYON. I understand.

Senator HICKENLOOPER. This is dated, according to the photostat, January 17, 1940. Your name appears on the second page of the photostat, if you care to see it—you may.

Miss KENYON. Wait a minute. I am afraid I am confused about this. What is the name of that organization?

Senator HICKENLOOPER. American Committee for Democracy and Intellectual Freedom.

Miss KENYON. Oh, I beg your pardon. It is one of the ones I mentioned, Senator, and I have a statement in my file. I just read my statement in respect to that. I said that what I did, according to my record, was to accept membership on a citizens' committee to promote free public education. The letterhead lists many distinguished college presidents, including Miss Park, former president of Bryn Mawr, and Professor Urey.

I also believe I am correct in saying that the organization is not on the Attorney General's list. It had an astounding number of presidents of colleges on it—most impressive.

Senator HICKENLOOPER. Would you look at this alleged photostat and see if you are referring specifically to that organization whose name appears at the top? There are some of these organizations having similar names.

Miss KENYON. "President Marion Park, Bryn Mawr College; Prof. Harold Urey." This is the same one, yes. There are lots of other college presidents there too—very fine gentlemen.

Senator HICKENLOOPER. Did you withdraw from this organization?

Miss KENYON. I had nothing to do with it, sir, according to my records, except to serve for a short period on this Committee to Promote Free Public Education—just one single ad hoc committee for one specific job. I don't know what we did.

Senator HICKENLOOPER. You are not connected with it now, then?

Miss KENYON. I never have been since 1940, if that is the date on it. I was only connected with it then to that extent.

Senator HICKENLOOPER. I have another photostat of an alleged program of the Greater New York Emergency Conference on Inalien-

able Rights. This is Monday, February 12, 1940. The photostat is alleged to be of a list of members of the general committee. This organization is cited as a Communist front, which was succeeded by the National Federation for Constitutional Liberties. That citation was by the Special Committee on Un-American Activities in their report March 29, 1944; also cited by the Congressional Committee on Un-American Activities, report No. 115, September 2, 1947; cited as a Communist front by the California Committee on Un-American Activities, report, 1948.

Do you recall that organization?

Miss KENYON. Yes. I have mentioned that already, to say that all my records showed, and it must be the same meeting that you are talking about—was a meeting held in New York. I thought it was February 15, 1940, and Newbold Morris, who is not mayor of New York, and Mary Woolley, former president of Mount Holyoke College, were listed as the speakers in this clipping that I had.

Senator TYDINGS. Who is Newbold Morris, so we will know who he is.

Miss KENYON. He was president of the city council for 12 years when Mayor LaGuardia was president. He ran last fall for mayor against Mayor O'Dwyer. He is a liberal too.

Senator GREEN. In order that the record may be complete, on what ticket did Mr. Morris run for mayor?

Miss KENYON. Well, Senator, I think he ran on the Republican ticket. That is probably why I voted for O'Dwyer.

Excuse me, Senator Hickenlooper.

Senator HICKENLOOPER. I notice it is the occasional Republican who belongs to one of these organizations that can be pointed to.

Mr. KIENDL. I am on your side on that, Senator.

Miss KENYON. Guilty by association.

Senator HICKENLOOPER. Is this organization still in existence that you know of?

Miss KENYON. What, this Inalienable Rights?

Senator HICKENLOOPER. This Greater New York Emergency Conference on Inalienable Rights.

Miss KENYON. I haven't the faintest idea. I can't even remember it. All I can find was this clipping in my files, 1940.

Senator HICKENLOOPER. Now the testimonial dinner in honor of Ferdinand C. Smith, on September 20, 1944, at the Hotel Commodore, in New York. I have a photostat alleging to be a copy of the list of sponsors containing your name. Were you a sponsor of that organization?

Miss KENYON. I haven't any recollection. That is also a new one on me. It wasn't included in the list that Senator McCarthy gave last year. When was that, and what was the man's name?

Senator HICKENLOOPER. September 20, 1944, testimonial dinner in honor of Ferdinand C. Smith at the Hotel Commodore in New York. You may see this, if it will refresh your memory.

Miss KENYON. Thank you very much. Was he a Negro?

Senator HICKENLOOPER. I don't know. The allegation was made, I believe, that he is a prominent Communist.

Miss KENYON. Do you mean at the dinner?

Senator HICKENLOOPER. I don't know about at the dinner.

Miss KENYON. Excuse me a moment. I don't remember anything about this. I haven't any recollection of it.

Senator HICKENLOOPER. Your name is on the second page.

Miss KENYON. Yes, "In recognition of his outstanding service to labor, the Negro people, and the Nation."

I may have fallen for the fact that he is a member of the Negro race. That was a mistake like LaGuardia's occasional mistakes. It was a beaut.

Senator HICKENLOOPER. Do you recall attending the dinner?

Miss KENYON. I don't know the individual. I don't recall having attended the dinner. I don't go to dinners if I can help myself.

Senator HICKENLOOPER. The American Committee for Anti-Nazi Literature, suite 302, 20 Vesey Street, New York City. The photostat is alleged to be a copy of a letter, or photostat of the letterhead of that organization, upon which your name appears as a sponsor.

Miss KENYON. What is the date? May I see it?

Senator HICKENLOOPER. March 24, 1939. You may see it, of course.

Miss KENYON. I reported on this in my statement. I said I could find absolutely nothing in my files in regard to it, sir. I see a number of friends of mine along here on this sponsor list, including Prof. John Dewey. I just sponsored a dinner for him this fall. And Lillian Wald, who is also on the board of the American Civil Liberties Union, and Professor MacIver.

Senator HICKENLOOPER. Do you have any recollection of it?

Miss KENYON. No.

Senator HICKENLOOPER. And you are not now a member of it, nor a sponsor?

Miss KENYON. Certainly not.

Senator HICKENLOOPER. I have an alleged photostatic copy of a clipping of the Daily Worker of February 10, 1944, containing a story which I shall show you, headed as follows: "Leading citizens laud Isaacs' on Gerson," and it is alleged to be a letter of which they claim you were one of the signers, in this news story, a letter to Mr. Isaacs lauding the appointment of S. W. Gerson, former Daily Worker reporter, as an assistant on Mr. Isaacs' staff.

They print your name as one of the signers of that letter.

Miss KENYON. A Daily Worker clipping, you say? I never see that sheet.

Mr. Chairman, I have said that I could find nothing in my record in respect to Gerson, or any letter or any action of mine in respect to it, and I have no recollection of anything except the Gerson controversy itself, which I remember, but the thing that seems to me extraordinary is that if my memory is right, that Gerson incident was in 1937 and this is dated 1944. It may not be a very good paper, but news 7 years old seems a little stale. I would suspect it.

Senator HICKENLOOPER. I don't know, Judge. You are the one who either has the recollection or does not have the recollection, and I am merely asking whether you have any recollection or whether you did sign such a letter or not.

Miss KENYON. I have no recollection, and this seems to me incredible.

Senator HICKENLOOPER. I have heard that term before.

Miss KENYON. I did not mean to plagiarize.

Senator HICKENLOOPER. In spite of the general sentiment, there is no monopoly on the term.

Miss KENYON. It is like "warmongering."

Senator HICKENLOOPER. Now I have a photostat of an alleged news story in the Daily Worker of February 21, 1940, in which your name appears as the signer of a protest to President Roosevelt and Attorney General Jackson, protesting the attacks upon the Veterans of the Abraham Lincoln Brigade and condemning the war hysteria now being whipped up by the Roosevelt administration. I show you the photostat. I have no knowledge of it whatsoever.

Miss KENYON. Thank you very much. I have already commented on that. I will just take a look at it now.

So far as I know, I have already referred to this, to say that I have absolutely no recollection of having done anything of the sort, and I will say this time it is simply preposterous in relation to my record, which was almost that of warmongering at that time. It is undoubtedly a complete and absolute falsehood.

Senator HICKENLOOPER. I take it that you are quite positive that you did not sign such a protest?

Miss KENYON. I am as positive as I can be.

Senator HICKENLOOPER. The National Citizens Political Action Committee. Do you recall that organization?

Miss KENYON. I believe that that was the organization of which Sidney Hillman was the head, and I was very happy to be a member of the PAC. I regarded him as a great labor leader and a great citizen and American. I don't need to look at the documentation on that, Mr. Chairman.

Senator HICKENLOOPER. You well remember that organization?

Miss KENYON. Quite.

Senator HICKENLOOPER. I have a photostat here of a page of the Daily Worker of February 10, 1944, headed "American women leaders greet colleagues in U. S. S. R."

Miss KENYON. Has that a picture of Dorothy Thompson in the middle of the page?

Senator HICKENLOOPER. It has a picture of Miss Thompson.

Miss KENYON. I remember that very well indeed. I am proud to say I did send greetings along with Dorothy Thompson and a lot of other fine women to the brave women of Russia, who at that time were our allies and were putting up a wonderful fight. Dorothy Thompson and I both remember it very well, and we are very proud of the fact that we did it.

Senator HICKENLOOPER. That was at the National Council of Soviet-American Friendship; is that true?

Miss KENYON. I don't know anything about that. We just sent greetings as individuals. I did not belong to that organization.

Senator HICKENLOOPER. You did not?

Miss KENYON. No. I understood we were invited as individuals to join in a Christmas greeting and we did—a lot of us. I think Mrs. Ogden Reid, of the Herald Tribune, was on it too.

Senator HICKENLOOPER. I believe you recall the Political Prisoners Bail Fund Committee in your State; do you not?

Miss KENYON. Yes, Senator. I have very little recollection of it myself. I mostly got it from Mr. Baldwin.

Senator HICKENLOOPER. I have here an alleged photostatic copy of a letterhead dated January 18, 1935, of the Political Prisoners Bail Fund Committee, 154 Nassau Street, room 1200, New York City, and your name is printed on the side of this alleged photostat as one of the sponsors. Is that correct?

Miss KENYON. I believe so; yes. Mr. Baldwin's name appears there as trustee; is that correct?

Senator HICKENLOOPER. Mr. Baldwin is the first named as trustee.

Miss KENYON. Perhaps I had better look at it.

Yes, that is the one. I see Heywood Broun's name there too.

Senator HICKENLOOPER. How long were you a member of that organization?

Miss KENYON. It died in 1934 or 1935. This must have been its death agony, I guess. That is what Mr. Baldwin told me. I have no recollection of it.

Senator HICKENLOOPER. You are not a member of it at this time?

Miss KENYON. It liquidated 15 years ago, Senator.

Senator HICKENLOOPER. It was cited as subversive and Communist June 1, 1948, and September 21, 1948. It was called a legal arm of the Communist Party by Attorney General Francis Biddle, according to the Congressional Record of September 24, 1942. It was cited as "It is essentially the legal defense arm of the Communist Party of the United States" by the Special Committee on Un-American Activities, reports, January 3, 1939; also cited in reports, January 3, 1940, and March 29, 1944, and again by the Congressional Committee on Un-American Activities in 1947. I have no knowledge as to whether or not it is still in existence, but those are the citations.

Miss KENYON. Senator, I believe you have confused it with the International Labor Defense. I think what you have been reading about is the record of the International Labor Defense, with which I never had anything to do, and it was, so far as I know, the arm of the Communist Party.

Senator HICKENLOOPER. The Political Prisoners Bail Fund Committee is alleged to be a subsidiary of the International Labor Defense, which has been characterized as I have just given you by those reports.

Miss KENYON. Yes, but I gave you Roger Baldwin's report, which is to the contrary, and there is no evidence that it is a subsidiary that I know of, and I have Mr. Baldwin's statement to the contrary. That is the best I can do in respect to that, Senator.

So far as I am concerned, I have forgotten every single thing about it.

Senator HICKENLOOPER. I have a photostat of a letter headed "Lawyers Committee on American Relations With Spain." This is dated March 5, 1938. Your name is carried on the photostat, apparently in a list of members. At the bottom of the list it says "(partial list)."

Miss KENYON. Will you give me the name again? I think I have covered it.

Senator HICKENLOOPER. Lawyers Committee on American Relations With Spain.

Miss KENYON. Yes, I covered that and said that I belonged to that. That was in 1938-39, and the purpose of that was, we were working to get the embargo against the Government of Spain lifted. If you re-

call the situation at that time, the policy of nonintervention I believe was in effect, and was practiced by everybody except Hitler and Mussolini, and I have a good deal of good company in that list. I also could not find that organization on any subversive list. It must have gone out of existence.

Senator HICKENLOOPER. I believe you will find that it was cited by the Special Committee on Un-American Activities, report, March 19, 1944, pages 168-169, as "When it was the policy of the Communist Party to organize much of its main propaganda around the civil war in Spain" the above "Communist lawyers' front organization" supported this movement.

It was cited as a Communist front, I believe, by the California Committee on Un-American Activities, in their report, 1948, page 335.

Cited, I believe, also by the New York City Council committee investigating the municipal civil service commission.

Miss KENYON. I have told you that I was a member of it in 1939, for that one specific purpose. There are a great many very fine American citizens also included on that list. I had no knowledge whatsoever that it was Communist at the time, and I am not sure of it yet.

I have had nothing to do with it since 1939.

Senator HICKENLOOPER. It is not in existence, so far as you know, at this time?

Miss KENYON. I understood it was formed for that one purpose, and then it went out of existence.

Senator HICKENLOOPER. I have a photostatic copy of an alleged political advertisement in the New York Times of October 9, 1944, entitled "An Open Letter to Gov. Thomas E. Dewey" in connection with the Morris U. Schappes' conviction and asking the Governor to pardon Mr. Schappes. Your name is listed in this alleged photostat of the advertisement as one of the signers of the open letter.

Miss KENYON. I covered that in my statement. I will be very glad to look at it.

Senator HICKENLOOPER. I think there is a pencil mark right there at your name.

Miss KENYON. I have absolutely no recollection of that whatever, Senator. That is one of the matters which I tried to see if I could find something on to refresh my recollection. I found absolutely nothing. I remember a long debate in regard to this Schappes case, and I think the American Civil Liberties Union had the matter under advisement in respect to a number of possible aspects of civil liberties in connection with the matter. Of course, in connection with civil liberties, as you know, we are always having cases come before us where it is charged that there has been some violation of civil liberties, and it is one of the basic tenets of the American Civil Liberties Union that every person is entitled to civil liberties, even if we hate his ideas.

I have no recollection of this or myself having taken any action whatsoever. If I did take any action, it would have been entirely because of some civil liberties question which I believed was involved. Frankly, I don't think I took any action at all. I think I just chewed the rag the way a lot of others did.

Senator HICKENLOOPER. Then, the inclusion of your name in that advertisement as one of the sponsors was entirely without your consent or approval; would you say?

Miss KENYON. No, I can't be sure of that. I simply say I cannot remember. If it was included, it was only included because of some civil liberties aspect of the matter so far as I was concerned, but I have no recollection.

Senator HICKENLOOPER. The Schappes Defense Committee has been listed by the Special Committee on Un-American Activities in its report of March 20, 1944, as a front organization with a strictly Communist objective, namely, the defense of a self-admitted Communist who was convicted of perjury in the courts of New York. It was listed as a front organization, I am informed, by the California Committee on Un-American Activities in its report in 1948, page 55.

Miss KENYON. Mr. Senator, I take it that you are not charging that I was a member of that committee, but simply that I signed the letter. Is that correct?

Senator HICKENLOOPER. Miss Kenyon, I am charging nothing.

Miss KENYON. I beg your pardon.

Senator HICKENLOOPER. I am asking for information.

Miss KENYON. Yes, yes. To clarify, let me say I know I never was a member of the committee.

Senator HICKENLOOPER. I do not allege that this photostat shows any membership on anything, except it is alleged that you were a signer of the so-called open letter to Gov. Thomas E. Dewey as contained in a political advertisement of that date.

Miss KENYON. And that I may have done, although I doubt it.

Senator HICKENLOOPER. Do you recall the Washington Committee To Lift the Spanish Embargo?

Miss KENYON. No. I mentioned that, and I said I could find absolutely nothing whatsoever about it.

Senator HICKENLOOPER. I have a photostatic copy of an alleged list of sponsors, I presume, of this organization; I don't know. It is headed "These Americans say: 'Lift the Embargo Against Republican Spain.'". It is a booklet of the Coordinating Committee to Lift the Embargo, an auxiliary of North American Committee to Aid Spanish Democracy.

Under the heading "Lawyers" is listed "Judge Dorothy Kenyon."

Miss KENYON. Well, I was fighting for that cause. I wanted the embargo lifted.

This is one of the causes, Senator, for which I fought. It says, "These Americans say: 'Lift the Embargo Against Republican Spain.' They say they want the embargo lifted. I did.

Senator HICKENLOOPER. You signed that?

Miss KENYON. That was 1939, was it not?

Senator HICKENLOOPER. I believe it so.

Miss KENYON. Yes.

Senator HICKENLOOPER. Then I have a photostat of an alleged page in the New York Times of January 31, 1949, entitled "An Open Letter to the Government and the People of the United States," demanding that they lift the embargo now.

Miss KENYON. You mean 1939, not 1949.

Senator HICKENLOOPER. Did I say 1949? I'm sorry; 1939. And at the bottom of this is a list of names, in which your name appears.

Miss KENYON. I suppose that is the same thing, Senator.

Senator HICKENLOOPER. I don't know.

Miss KENYON. There are an awful lot of bishops on this. This is what I was for. I see some very respectable lawyers of New York on there. Harold Riegelman's name is there.

Senator HICKENLOOPER. The Washington Committee to Lift the Spanish Embargo, I am informed, was cited as one of a number of front organizations set up during the Spanish civil war by the Communist Party in the United States and through which the party carried on a great deal of agitation. That citation is by the Special Committee On Un-American Activities, report March 20, 1944, pages 137 and 138.

Cited as a Communist front by the California Committee on Un-American Activities, report, 1947, page 210, according to the information I have.

Miss KENYON. I certainly had no idea it was Communist, and I am sure those other Republican New York lawyers did not know it either.

Senator HICKENLOOPER. Can't you find any Democratic lawyers on that list?

Miss KENYON. I think my counsel will be glad to.

Senator HICKENLOOPER. Here is a photostatic copy, allegedly, of a letterhead of Films For Democracy, 342 Madison Avenue, New York. Listed on the side as a member of the advisory board is the name of Dorothy Kenyon.

Miss KENYON. I have reported on that already. I will be glad to see the exhibit.

I have absolutely no recollection. I see Stanley Innes' name here. I thought perhaps I might have made a speech before it, but I don't know.

Senator HICKENLOOPER. Would you say the inclusion of your name on the list of advisers was without your consent or authorization?

Miss KENYON. No. I wouldn't know. I wouldn't have any idea about it. This was in 1938, and I couldn't tell you about that. I have no recollection whatever. I should have thought that I had perhaps made a speech before the group.

Senator HICKENLOOPER. And from that they put your name on the list?

Miss KENYON. They might very well have. I am inclined to think that they did in a number of cases.

I see Senator Capper here. I think I had some good company, and if it was Communist then, I certainly did not know it.

Senator HICKENLOOPER. I might suggest that on some of these lists you had some very bad company as well as good company.

Miss KENYON. You are quite correct. We know that now. We did not all know as much then.

Senator HICKENLOOPER. I am not reading any other names on the list. This is a matter that concerns you, Judge Kenyon.

Miss KENYON. Yes, I understand, Senator.

Senator HICKENLOOPER. Films for Democracy was cited as a Communist-front organization by the Special Committee on Un-American Activities, report March 20, 1944, and as a Communist Front organization which merged with another front, Film Audiences, to become Film Audiences for Democracy. It was cited in the year

1930 by the California Committee on Un-American Activities, report of 1948, according to the information I have.

Miss KENYON. I also referred to that in my statement, saying that I had absolutely no record of it or memory of it. I take it from what you say that one was merged with the other.

Senator HICKENLOOPER. I don't know. I am merely quoting from the report.

Miss KENYON. And the letterhead on which my name appears was dated, as you say, January 5, 1938?

Senator HICKENLOOPER. There is a date, January 5, 1938.

Miss KENYON. Yes.

Senator HICKENLOOPER. Later, according to the information I have, it was merged with another organization to become an organization known as Film Audiences for Democracy, in 1939.

Miss KENYON. That I know nothing about.

Senator HICKENLOOPER. I have an alleged photostat of a letter of Film Audiences for Democracy, 342 Madison Avenue, New York. I do not have the date on this one, but on the advisory board, on the side of this letterhead, is the name of Dorothy Kenyon. That is the merged organization.

Miss KENYON. I know nothing whatever about it.

Senator HICKENLOOPER. I take it, then, that your name was put on there without your consent or approval.

Miss KENYON. I have no recollection, Senator, whether it was or not. I doubt that I ever had anything to do with it, but I cannot be sure. I have led a reasonably full life, and this was a long time ago.

Senator HICKENLOOPER. Then you might have been a member of this?

Miss KENYON. It is possible I might have, but if I did I will repeat again that I had no ideas that it was Communist then, and I haven't any idea what it is now.

Senator HICKENLOOPER. The Special Committee on Un-American Activities, in their report of March 29, 1944, cited it as a Communist front. I have the citation book here if there is any question about the citation. And the California Committee on Un-American Activities, in its report in 1948, said "The Communist fronts, Film Audiences and Films for Democracy, merged in 1939 to form a new front, Film Audiences for Democracy."

I am told the New York City Council Committee Investigating the Municipal Civil Service Commission cited it as "an organization of Communist complexion."

Do you remember whether you canvassed the American Committee for Democracy and Intellectual Freedom?

Miss KENYON. I think we discussed that previously, did we not? Yes, that's right. I have mentioned it, you have it, I mentioned it, and now you mention it again.

Senator HICKENLOOPER. Were you a member of that organization?

Miss KENYON. I told you that I, in 1940, accepted membership in an ad hoc Citizens Committee to Promote Free Public Education. I have never heard of it since.

That is the one which had all of the college presidents on it, if you will recall.

Senator HICKENLOOPER. There was a meeting, I am told, according to this photostat which I have here and which I will hand you, sponsored, I believe, by that organization on April 13, 1940, and under the heading "These people sponsored this meeting" is the name of Dorothy Kenyon.

Miss KENYON. I have no recollection, but I may have.

Senator HICKENLOOPER. You would not say that you did not? You would not positively state that you did not sponsor it?

Miss KENYON. That meeting?

Senator HICKENLOOPER. That particular meeting.

Miss KENYON. I may have. It was, I believe, in that same year that I was accepting membership on this committee. It would not be inconsistent if I did. I repeat that I had no idea at that time that it was Communist. I saw Alvin Johnson's name there, and I am sure he did not think it was Communist either.

Senator HICKENLOOPER. It was cited by the Special Committee on Un-American Activities in its report for June 15, 1942, and also on March 29, 1944, as a Communist front which defended Communist teachers. The California Committee on Un-American Activities, in its report in 1948, says:

This Communist front was established on Lincoln's birthday in 1939. The activities of this group were always in behalf of communism. It has followed the Communist Party line as it switched and squirmed in support of the foreign policy of Soviet Russia.

It was cited as subversive and un-American by the Special Subcommittee of the House Committee on Appropriations report, April 21, 1943.

I have a photostat, allegedly, of the letterhead of the Citizens' Committee to Aid Striking Seamen, 277 West Twenty-second Street, New York City, with a letter which is apparently a form letter photographed on this letterhead. On the side, under the heading "Advisory Committee", among others, appears the name of Dorothy Kenyon. This letter is dated January 28, 1937. Were you a member of that organization?

Miss KENYON. I have already reported on that. I could find absolutely nothing in my files, and I have absolutely no recollection. I have been sympathetic in a number of strikes, and it is perfectly possible that I may have sympathized with this. I know nothing about it whatsoever.

Senator HICKENLOOPER. The Special Committee on Un-American Activities in December 1944, in a report, in appendix IX, I believe—there is a typographical bobble here—cited it as a Communist front.

Miss KENYON. At that time?

Senator HICKENLOOPER. The report was made in December 1944. The date of the letter that I have is 1937.

Miss KENYON. I certainly did not know that it was Communist if it was Communist, nor am I sure that I was on it.

Senator HICKENLOOPER. I do not know whether you were or not, Judge. I merely showed you the photostat with the name "Dorothy Kenyon" on the side as a member of the advisory committee.

I have a photostat of a letterhead of the Conference on Pan American Democracy, with offices at 156 Fifth Avenue, New York. It

is dated November 16, 1938, and in the list of sponsors printed on the left-hand side of the letterhead is the name of Dorothy Kenyon.

Miss KENYON. I have covered that already in my statement.

Senator HICKENLOOPER. Just to refresh my recollection, were you one of the sponsors of the organization?

Miss KENYON. Yes. I said that. I found the letterhead in my file dated March 4, 1939, and I remember making a speech before that organization, I think in 1938. On the letterhead was the name of Senator Paul H. Douglas, Quincy Howe, Stanley Isaacs, and Dr. Ralph W. Sockman, all good friends of mine. I didn't know the Communists on it, if there were some.

Senator HICKENLOOPER. I believe it is alleged there were some on it.

Miss KENYON. I believe those gentlemen that I named were not Communists or even considered so by this committee.

Senator HICKENLOOPER. Are you still a member of that organization?

Miss KENYON. I have never heard of it in 10 or more years.

Senator HICKENLOOPER. Did you ever withdraw from it?

Miss KENYON. According to this letterhead, I was a sponsor in 1939.

Senator HICKENLOOPER. 1938 is the date of this letter.

Miss KENYON. I'm sorry. The letter I have in my files is 1939. I'm sorry.

Senator HICKENLOOPER. Then if this photostat is an accurate reproduction, you were a sponsor in 1938, and also according to your own letterhead in 1939?

Miss KENYON. That's right. I told you it was in my file, which brought me up a whole year longer than what you have.

Senator HICKENLOOPER. When was the last time you had any connection at all with this organization?

Miss KENYON. So far as I know, March 4, 1939. I have never heard of it since. I have difficulty remembering even this connection with it.

Senator HICKENLOOPER. Attorney General Tom Clark's letters to the Loyalty Review Board, released June 1, 1948, and September 21, 1948, cited it as subversive and Communist. It was cited as Communist front by the Special Committee on un-American Activities in its report March 29, 1944; also cited in the report of June 25, 1942.

The California Committee on un-American Activities, in its report, 1947, cited it as a Communist front, and it was cited as subversive and un-American by the Special Committee of the House Committee on Appropriations in its report of April 21, 1948.

Miss KENYON. I do not think I need repeat my position.

Senator TYDINGS. We want to go along, if you will permit us, to, for quite some time yet, but obviously there will be other members of the committee who will want to ask you some questions, and I am wondering whether it would be convenient for you to stay over tonight and come tomorrow to finish up.

Miss KENYON. Could we possibly finish tonight, Senator? I do earn my bread and butter practicing law, and I have had several days just knocked right out.

Senator TYDINGS. We will proceed, then.

Senator HICKENLOOPER. I believe you discussed the New York League of Women Shoppers, and your association with that. I have

what is alleged to be a photostatic copy of their letterhead of January 25, 1940, in which you are listed, among others, as one of the sponsors. Is that correct?

Miss KENYON. No, that is absolutely not so, because I disagreed violently with them in about 1936 or 1937 and withdrew with a bang. I remember that very well indeed, so they probably just continued to carry my name on the letterhead, which I am sorry to say many organizations appear to have done.

Senator HICKENLOOPER. Did you withdraw in writing?

Miss KENYON. I think I probably did. I know I had a great row with them. I could find nothing in my files, but I don't keep files forever and ever.

Senator HICKENLOOPER. At about what time did you withdraw from that organization?

Miss KENYON. That was 1937, I think—maybe it was earlier than that. No, I think it was founded about 1935, and I think it was 1936 or 1937 when I withdrew as a sponsor. I was never a member.

I didn't approve of the way they handled things, and I told them so.

Senator HICKENLOOPER. Then their use of your name on their letterhead as late as January 25, 1940, was completely without your consent and unauthorized?

Miss KENYON. That's right.

Senator HICKENLOOPER. This organization was listed in 1944 by the Special Committee on Un-American Activities as a Communist-controlled front by indisputable documentary evidence obtained from the files of the Communist Party in Philadelphia, according to the citation, and it was cited by the California Committee on Un-American Activities in 1943 as one of the Communist-inspired and therefore Communist-dominated and controlled consumer organizations.

Miss KENYON. That was my understanding, too, and that is one of the reasons I withdrew from it.

Senator HICKENLOOPER. I merely wanted to get these things completely cleared up for the record.

I have a photostat of a letterhead of the Milk Consumers Protective Committee, 215 Fourth Avenue, New York, New York. The date of this is supposed to be April 23, 1940, according to the photostat, and under the heading "advisory board" is the name Dorothy Kenyon. Do you recall the Milk Consumers Protective Committee?

Miss KENYON. I covered that in my statement. I have absolutely no recollection of any such thing, and I can find absolutely nothing in my files.

Senator HICKENLOOPER. So that you cannot recall now whether or not you ever were a member of it, or a member of the advisory board?

Miss KENYON. That's right; that's right. It sounds so utterly foreign to me that I would say I could not possibly have been, but you do sometimes have a lapse of memory, especially about unimportant things.

Senator HICKENLOOPER. I think it is very apparent that a number of these organizations have been free with your name, Judge Kenyon. They have taken rather unusual liberties.

Miss KENYON. I think so too, Senator. It is unfortunate to be a liberal and a fighter for causes. It is probably better not to belong to anything.

Senator HICKENLOOPER. Do you recall the organization called the Associated Blind, Inc.?

Miss KENYON. This is completely new.

Senator HICKENLOOPER. Among the list of sponsors on this letter-head is "Honorable Dorothy Kenyon, Justice." I am merely asking you about the organization.

Miss KENYON. This, of course, is completely new, and I remember absolutely nothing about it. I don't know anything about it at all.

Senator HICKENLOOPER. You have no recollection of the organization?

Miss KENYON. No. I would say I had never heard of it.

Senator HICKENLOOPER. Is that the fact, that you have never heard of it, so far as you remember?

Miss KENYON. That is right, yes. I haven't any recollection whatsoever of such a name.

Senator HICKENLOOPER. Therefore the inclusion of your name as a sponsor of that organization would have been without your authority or consent?

Miss KENYON. I would say so; I would say so.

Senator HICKENLOOPER. This organization is cited as a Communist-front organization by the Special Committee on Un-American Activities in December 1944.

I have a photostat of an alleged program of the American Russian Institute, or I should say it appears to be an invitation to a dinner given by the American Russian Institute, a dinner and presentation of its first annual award to Franklin D. Roosevelt for outstanding service in furthering American-Soviet relations, given on Tuesday, May 7, 1946, at 6:30 o'clock in the grand ballroom of the Hotel Pennsylvania, in New York. On the list of sponsors—a partial list, it says—appears the name "Dorothy Kenyon." Do you recall that dinner of that organization?

Miss KENYON. I also covered that in my remarks. I do not recall the dinner, but I did say that, being a Rooseveltian, a devoted Rooseveltian, it might not have been strange if I had sponsored such a dinner in his honor.

Senator HICKENLOOPER. The American Russian Institute for Cultural Relations With the Soviet Union was cited by the California Committee on Un-American Activities in its report in 1948.

Miss KENYON. Are you talking about the same organization, Senator, or is this another one?

Senator HICKENLOOPER. It says "American Russian Institute for Cultural Relations With the Soviet Union." Perhaps I had better look it up in the citations.

Senator TYDINGS. While Senator Hickenlooper is looking that up, do some of these organizations have a parent body with branches in the various States, some of those that have been enumerated, like the Maryland Division or the California Division, or is there one organization that covers the country with a mantle? Do they have State chapters?

Miss KENYON. Of what?

Senator TYDINGS. Any of these organizations.

Miss KENYON. Do you mean, do I know?

Senator TYDINGS. Do you know?

Miss KENYON. No.

Senator TYDINGS. The reason I asked you is that there was put in evidence yesterday in one of the cases an exhibit where they had a Maryland chapter, and I was wondering whether or not they had chapters over the country in other States, because—and I don't say this is a fact, but I think it is a logical inference—one of the chapters might have a connotation that the parent body might not have, and vice versa, for that matter, so I think that when we go into the State findings on any of them we ought to know whether there are State chapters there. We don't know exactly what is being referred to.

Miss KENYON. Unfortunately I know so little about these organizations that have been mentioned that I am not the authority to tell you what their organization is.

Senator HICKENLOOPER. Of course, the only reason these organizations are brought up is that your name appears on all of them as a sponsor or adviser or something of that kind, and I merely wanted to probe that situation a little.

Miss KENYON. That's right.

Senator HICKENLOOPER. I think perhaps I should not press this for the moment, because this program says "The American Russian Institute cordially invites," et cetera, and the citation refers to the organization "American Russian Institute for Cultural Relations With the Soviet Union." That is the citation of its Communist activities. There is some addition to the name as contained in the program. It may not be the same, and I shall therefore pass it up.

The organization known as "Descendants of the American Revolution"—are you familiar with that?

Miss KENYON. Yes. That is not on this list. I have, however, a memory of that which is very clear, because that, again, was one of the organizations that I never would become a member of. I was associated with them at the start and I didn't like them, and I just dropped them as fast as I could.

The idea was a very nice idea, and I think it was Helen Hall, of New York who told me that some Quaker lady whose name I forgot had thought up the idea of having some Descendants of the American Revolution who might have a slightly different program from that of the D. A. R. It sounded to me like an interesting idea. Dr. John Haynes Holmes, as I recall, was interested and was an adviser, and also, if I recall, Mary Simkhovitch, the very fine woman in New York who was for long the head of Greenwich House. We explored the idea, and I may have been on that advisory committee for a little while, but very soon I saw a little bit of some other people who were working in it and, as I say, I didn't like them at all and I got out as delicately but as fast as I could. That was all back in the early, or the middle of the 1930's, I would have said. I remember the idea intrigued me, but I did not like the people who were trying to put it into effect. They struggled to get me to join.

Senator HICKENLOOPER. The photostat which I have lists "Dorothy Kenyon, prominent attorney" as a member of the advisory board.

Miss KENYON. As I say, I may have been on the advisory board for a year, along with John Haynes Holmes and Mary Simkhovitch, but I got out very fast. What is the date on that?

Senator HICKENLOOPER. There is no date that I notice.

Miss KENYON. It was the middle 1930's, I think. Oh, yes, they are both on there. Isn't that wonderful! My memory was good.

That idea did interest me.

Senator HICKENLOOPER. And that was when, did you say?

Miss KENYON. It was around the middle 1930's, I would have said. I am not too clear about that. As I say, I haven't had a chance to look it up. I do have the recollection.

Senator HICKENLOOPER. Your memory is good about that organization in the 1930's?

Miss KENYON. Yes, I remember that very much, because I was really interested in that idea. Most of these others I know nothing about because I had nothing to do with them.

Senator HICKENLOOPER. The Descendants of the American Revolution are described by the Special Committee on Un-American Activities in its report of June 1942, as—

A Communist-front organization set up as a radical imitation of the Daughters of the American Revolution. The Descendants have uniformly adhered to the line of the Communist Party.

It was cited as a Communist front by the California Committee on Un-American Activities in its report in 1948; cited as "subversive and un-American" by the Special Subcommittee of the House Committee on Appropriations in its report of April 21, 1948.

Miss KENYON. My feeling was sound. I might say that quite a number of my ancestors fought in the Revolutionary War—on the right side.

Senator HICKENLOOPER. In the New York Journal-American of Sunday, March 12, 1950, under a story with a byline by Howard Rushmore, you are quoted—and I shall show you the entire story—

Miss KENYON. Yes; thank you very much.

Senator HICKENLOOPER. As saying, "Perhaps I was a sucker," when letterheads listed your name among the sponsors of Communist-front organizations dating from 1935 until 1949 and, "Denied in many instances that the use of her name had been authorized on stationery of organizations listed as Communist by Congress or the Attorney General," and, "Declared McCarthy was attempting 'to make people afraid of supporting popular ideas.'"

I wonder if that statement that "Perhaps I was a sucker" when letterheads listed her name among sponsors of the Communist organizations is an accurate statement.

Miss KENYON. I may have said that perhaps in certain instances I was a sucker, as who has not been, and I remember LaGuardia's statement that when he made a mistake, it was a "beaut," and I may have made one or two of those myself. When I have made a mistake, however, I think it has always been from generous motives, and never because of selfish political motivations.

Senator HICKENLOOPER. Do you have a copy of this?

Miss KENYON. I have it right here. My counsel did not let me read it until this moment.

Senator HICKENLOOPER. You are welcome to look at this, but if you have a copy of it we might as well keep this file together.

I have here a news story, Judge Kenyon, taken from the Times Record of Troy, N. Y., Tuesday evening, January 17, 1950, headed

"Hiss trial seen example of civil liberties hysteria"; subheading "Dorothy Kenyon, former judge, speaks at annual YWCA dinner." The story is as follows, and is under date of January 17, 1950:

The current perjury trial of Alger Hiss was cited last night by former New York City Municipal Court Judge Dorothy Kenyon as "a perfect example of a sacrifice to the hysteria created by the Congressional Committee on Un-American Activities." Speaking before a large gathering at a membership dinner at the Troy YWCA, Judge Kenyon claimed, "Lawyers agree that there is not one shred of respectable evidence to prove that Hiss did what he is charged with doing." She added that in spite of this, Mr. Hiss "will be lucky if he can get a hung jury in his second trial."

Now, for the purpose of my question, Judge, I do not intend to read any more of this. I expect to offer the entire story in evidence, and you may read it all if you want to, in evidence or anything else. But for the purpose of my question I will ask you, is that a substantially accurate statement of what you said in that speech?

Miss KENYON. There is one sentence in there which is not correct, where I am quoted as saying that lawyers agreed there was no evidence—did you say?

Senator HICKENLOOPER. I shall read the quotation again, and I will be glad to hand you the story.

Miss KENYON. Thank you very much.

Senator HICKENLOOPER. The quotation here is as follows:

Judge Kenyon claimed "lawyers agree there is not one shred of respectable evidence to prove that Hiss did what he is charged with doing." She added that in spite of this Mr. Hiss "will be lucky if he can get a hung jury in his second trial."

My question is as to the accuracy of the alleged quotation, which is alleged in the story to be a direct quote from your statement. I have no objection—in fact, it is perfectly all right with me if the whole story goes in the record.

Senator TYDINGS. Either way you want it.

Miss KENYON. It makes no difference to me, because I said everything except that one thing, as I recall it.

Senator HICKENLOOPER. It will be put in the record.

Miss KENYON. May I make a comment in respect to that?

Senator TYDINGS. You may.

Miss KENYON. I made the remark quoted in substantially those words, that it was a product of the hysteria created by the Congressional Committee on Un-American Activities. I was asked in the question period about the Hiss case, which many people have said too many things about already, and if I can very briefly summarize what I said about it, it was this: I did say that he would be lucky if he got a second hung jury. I also said, which is not here, that in the present condition of hysteria in the country it was almost impossible, it seemed to me, to find a jury who had not perhaps already gotten some preconceived idea of the issues, and therefore would be disqualified by having made up their minds in advance, and that I really thought it would be almost impossible to get what you would call a fair trial with a jury completely objective for at least 2 years in the present temper of the country.

In regard to this matter of evidence, what I said, in substance, was that there wasn't a shred of direct evidence except what Mr. Whittaker Chambers had said, plus the documents which also went back to Mr.

Chambers, because he had produced them. In fact, I think that is roughly what I said. There was some discussion of the whole subject on the part of the audience and myself. I think that there are a number of lawyers who agree with that position.

I do not know Mr. Hiss or Mr. Chambers or any of the parties involved.

Senator TYDINGS. The exhibit will be printed in the record.

[From Troy (N. Y.) Times Record, January 17, 1950]

Hiss Trial Seen Example of Civil Liberty Hysteria—DOROTHY KENYON, FORMER JUDGE, SPEAKS AT ANNUAL YWCA DINNER

The current perjury trial of Alger Hiss was cited last night by former New York City Municipal Court Judge Dorothy Kenyon as "a perfect example of a sacrifice to the hysteria created by the Congressional Committee on Un-American Activities."

Speaking before a large gathering at a membership dinner at the Troy YWCA, Judge Kenyon claimed "lawyers agree there is not one shred of respectable evidence to prove that Hiss did what he is charged with doing." She added that in spite of this Mr. Hiss "will be lucky if he can get a hung jury in his second trial."

The case of the former State Department official came up during Judge Kenyon's discussion on the status of civil liberties in the United States and in the world. She charged that "under J. Parnell Thomas (former Republican Representative from New Jersey) the House Un-American Activities Committee made accusations based on the flimsiest hearsay."

The loyalty tests of Federal employees, the Feinberg law, and wire tapping also came in for criticism from Judge Kenyon, a practicing attorney, who is now serving on the United Nations Commission on the Status of Women.

She declared that the Federal loyalty tests "contain no elements of a fair trial" and pointed out that the accused employees "do not even know the nature of the charges which are brought against them."

Characterizing the Feinberg law, which was recently declared unconstitutional, as an "invitation to tattle on teacher," Judge Kenyon called it a violation of academic freedom. She expressed the hope that the law "which is certain to be drawn up to replace it" (the Feinberg law) will be drafted with more caution.

Judge Kenyon told the gathering that "the people of the United States will soon be presented with a United Nations covenant on human rights which will include a mechanism for enforcement." She said that Americans must decide if they are willing to guarantee these rights and submit our violations of them to the World Court.

"The example the United States sets in the world will decide whether the democratic ideal will stand or fall," she asserted.

"If we are going to win the battle of ideas we have to put into practice our ideals of civil liberties," Judge Kenyon said, concluding with a plea for America to "get over the hysteria and end the witch hunting."

Judge Kenyon was introduced by Mrs. Margaret Spence. Rabbi Julius K. Gutmann of the Third Street Temple led the devotional services, and Mrs. Norman R. Clarke, executive director of the Troy YWCA, gave the invocation.

The program was under the direction of Mrs. Sterling P. Olmsted of the public affairs committee.

Senator HICKENLOOPER. Just as a matter of interest in your philosophy, which you have referred to in the past, Judge, I believe you graduated from what schools?

Miss KENYON. Smith College.

Senator HICKENLOOPER. That was in 1908?

Miss KENYON. Yes, that's right; and New York University Law School. Harvard was not open then to women, otherwise I would have done what my brothers did.

Senator HICKENLOOPER. Do you recall writing something for the Decennial Class Book of 1918?

Miss KENYON. 1918? I am afraid, Senator, you have the advantage of me. I haven't the faintest idea of what folly I may have committed at that point.

Senator TYDINGS. I don't think you would have been old enough to write in 1918.

Miss KENYON. Very sweet of you, but I was. I hope you did not mean mature.

Senator HICKENLOOPER. I am just wondering if you recall.

Miss KENYON. I don't recall one thing about it.

Senator HICKENLOOPER. Before I have even read it?

Miss KENYON. I don't recall one thing.

Senator HICKENLOOPER. It is interesting. You might desire to check it. It goes to the question of your philosophy. I am told, in the Decennial Class Book of 1918, in writing about yourself, you used these words: "Absolutely not a Republican, nor a Prohibitionist. She can't altogether agree with the Democrats, nor can she quite commit herself to Socialists, toward whom perhaps she most inclines. Six years of nothing at all, of polite visits, existence and travel. How it reads like the days before the Russian Revolution. Here comes a change, and with about as little ceremony, enter the radical, the woman economically independent, the wage earner, the advocate of international democracy. Having once started on the downward path, nothing but disillusion is apparently likely to stop me."

Do you recall writing any such sentiments as that?

Miss KENYON. I don't even know what it means. Do you? I understand that part about Prohibition and Republicans, but nothing else.

Senator HICKENLOOPER. I confess to some confusion, and I thought perhaps you might be able to explain it.

Miss KENYON. I am afraid I thought I was funny.

Thank you very much for calling it to my attention.

Senator HICKENLOOPER. I thought sometimes those historical things are interesting to go back and review.

Miss KENYON. My class was also antisuffrage if I remember aright.

Senator HICKENLOOPER. The question involved, so far as I am concerned—I assure you that I haven't the least evidence, nor do I have any belief, that you are subversive in any way.

Miss KENYON. Thank you very much, Senator.

Senator HICKENLOOPER. Or disloyal. I haven't approached that from that standpoint at all. Regardless of what other members of the committee may interpret as the statement Senator McCarthy made, I interpret the statement he made as suggesting that your membership or alleged membership in a great many organizations at least later or presently declared to be subversive is a matter for concern so far as the security risk goes in public service, especially in the State Department and its activities.

Senator McMAHON. Will the Senator yield at that point? I just wanted to quote from the record as to what the Senator did charge the witness with.

Miss KENYON. I have it here, and it was a little more than membership.

Senator McMAHON (reading) :

I think it is important that the committee know that the Communist activities of Miss Kenyon are not only deep rooted but extend back through the years. Her

sponsorship of the doctrines and philosophy of this ruthless and godless organization is not new.

Miss KENYON. Thank you very much, Senator, and he also at one point, on page 168, said:

Here again we have this prominent State Department official, Judge Kenyon, crying aloud in her anguish for a fellow Red—

and he adds—

I call anyone who gets \$12,000 a year of the people's money very prominent—but of course I didn't get it—a fellow red.

I consider that I have the right to assume that I was charged with being a Communist, and therefore disloyal, and I don't want to get angry. I have tried very hard not to.

Senator HICKENLOOPER. I assure you that I am not taking the position that you are a Communist, so far as my views of the matter are concerned, but I would like to ask you whether or not you are familiar with Secretary Acheson's criteria on security risks as he has laid them down before committees of Congress and, I understand, published them.

Miss KENYON. No.

Senator HICKENLOOPER. Are you familiar with that?

Miss KENYON. No, I don't believe I know them.

Senator HICKENLOOPER. Assuming that he has laid down the criteria, among others, that membership in organizations that have been declared to be subversive by official bodies is a matter for serious question and examination of the person as a security risk before public employment is given them—I say assuming that; if I am incorrect in that statement I can be corrected—before you took public employment as a representative of this country on the United Nations, did any official discuss with you the allegations of your membership in organizations that had been declared to be subversive?

Miss KENYON. Never. They have come and talked to me about other people.

Senator HICKENLOOPER. In the event, and this is a hypothetical situation, a supposition that I am making, the files in connection with information on your activities disclose, prior to the time of your employment or representation of this country, allegations of memberships in a substantial number of organizations that had been declared to be subversive by various public bodies, such as the Attorney General, the House Un-American Activities Committee, or other organizations of that sort, what is your personal opinion as to whether or not you should have been interviewed along that line?

I am assuming, for the purpose of this question, and making no allegation one way or the other, that there were repeated allegations in your file of membership in organizations that had been declared subversive. Do you think that you should have been talked to about this matter for some explanation or inquiry as to how your name happened to appear on these lists as sponsor and otherwise?

Miss KENYON. Well, Senator, I appreciate your asking me my opinion as to how the State Department should have handled this and other cases of dangerous persons. I would think, myself, in the first place, of the organizations that have been named here, membership in

them is practically not charged to me at all. I have been charged with sponsoring a number of organizations, some of which I am perfectly certain I never did sponsor. The ones that I think I did boiled down to a handful that were probably at the time I belonged not Communist at all, because I am sure you know about the infiltration of Communists into various organizations, and I would have thought that it would have been proper for the State Department, or any other governmental body, in considering taking someone on their staff, or whatever that they should look at their record in the round, and look at all their activities, and not just at a tiny little bit of a group, and I have recited a number of my activities here today. There are many others, during most of my life, which I have not troubled the committee with going into, because I did not want to take your time or bore you. I therefore simply hit the high spots of the things which were inconsistent with the so-called Communist line, and if you were to look into all my activities, I think you might think yourself, without further questioning of me, that I was a good security risk.

Senator HICKENLOOPER. Judge Kenyon, the question I asked you—

Miss KENYON. I am sure I have been looked into by everything.

Senator HICKENLOOPER. The question that I asked you—perhaps I didn't make it clear, and I merely asked for your opinion.

Miss KENYON. Yes; I understand.

Senator HICKENLOOPER. In the light of the criteria laid down by the Secretary of State himself, in which he said that membership in organizations which had been declared to be subversive, or which were declared to be subversive by official bodies, was at least a cause for serious examination of the background and security risk potential of the individual who is considered for public office. In that light of those criteria, and then assuming for the sake of this question that in your files there appeared numerous cases where you were alleged to have been a sponsor or a member of a number of organizations, whether it is 20 or 25 or whatever number, but a substantial number—

Miss KENYON. It boils down nearer to six or eight.

Senator HICKENLOOPER. I am talking about the allegation. I am not talking about your actual membership. I am talking about the allegations that you were a member of a substantial number of these organizations. Wouldn't you think that in keeping with the criteria laid down for examination someone officially should have talked to you about this matter? Shouldn't it have raised some question? Shouldn't they have said, "We will go and see Judge Kenyon. We will give her an opportunity to tell us about these things."

Here are these allegations. Wouldn't you think that would be a perfectly normal thing in carrying out the investigating procedure before appointment as a public official?

Miss KENYON. It might have been done, Senator. I have no doubt that very serious consideration was given to my text, but what is gained by talking to a person and asking them whether they are subversive or are in favor of overthrowing the Government by force and violence, when you know perfectly well the answer that you will get does not seem to me very substantial? I think the things which they doubtless did do were to talk to people with whom I had been associated in various activities, and to get their views on me, which was

considerably more intelligent than to come and talk to me. What do you think I would have said?

Senator Hickenlooper, I would have said some of the things I have been saying to you today.

Senator HICKENLOOPER. I am minded to ask the question, Judge Kenyon—

Miss KENYON. It is the only way I can answer it.

Senator HICKENLOOPER. Because you so vigorously and so very properly and so quickly demanded to be heard in this case, when the charges were made by Senator McCarthy, and I would think that normally it would therefore be your reaction that of course the State Department should have come to you and let you present your case in this matter if these things appeared in the file. It would seem to me to be perfectly consistent.

Miss KENYON. I understand you now, Senator, and I would say this. You are now, instead of asking me whether I think this was something the State Department should have done, talking about it in terms of what I would have liked in respect to my own reputation.

Senator HICKENLOOPER. I am asking you for your judgment. You are a very able woman, a woman of experience; you are a jurist. Your opinion, I think, is valuable.

Miss KENYON. I would have been very happy had they come and had I been able to answer and to tell them that most of these things I had had nothing whatsoever to do with. I didn't know at the time that there was a case like this building up against me.

Senator HICKENLOOPER. Don't you think it was a matter—

Miss KENYON. I have learned a lot lately.

Senator HICKENLOOPER. That you might well have known about, that they should have talked to you about and told you about?

Miss KENYON. I would have liked it had they come to me; yes, indeed. I would have been delighted, and I would have given them another piece of my mind.

Senator HICKENLOOPER. With the reservation, Mr. Chairman, that I still feel and insist that, inasmuch as this is one of the cases involved in this matter, the investigative file must be available to this committee and that I don't consider this to be any kind of a complete questioning of the witness without the background of those files, I have nothing more to say at this time.

Senator TYDINGS. Judge, I would like to ask you one or two questions.

Have you ever been an employee of the State Department?

Miss KENYON. My answer would be that I don't think so. I am not sure what you call a United States delegate to the United Nations. I had always described myself as a piece worker—p-i-e-c-e worker—for the State Department. I do not think that that position is considered an employee. I am not sure, Senator. You are asking me a technical question. That is my only connection ever with the State Department.

Senator TYDINGS. The next question I would like to ask you is, What was your first notice of the charges that Senator McCarthy had brought here concerning you?

Miss KENYON. Wednesday.

Senator TYDINGS. In the newspapers?

Miss KENYON. At 12 o'clock a reporter called me up, and from then until 1 a. m. reporters called me up.

Senator TYDINGS. Did you have any notice that your name was going to be called into question before this committee before the reporter called you up?

Miss KENYON. I never had the faintest inkling. I was horribly busy. I had professional engagements all last week and this and next week; and tomorrow is income-tax day, and I do some income-tax work; and I was submerged with things and never once thought about Congress.

Senator TYDINGS. There has been no evidence here that anyone who has made any charge against you has actually seen the files in the State Department, so you, in answering these charges, are in the same position so far as the committee knows as was the witness who brought the original charges. They were brought, so far as we know, without any seeing of the State Department files themselves, and consequently you are here without us having seen the State Department files.

Miss KENYON. We are all in the same boat.

Senator TYDINGS. I would like to ask you this: When you joined any of these organizations, those that you have particularly identified yourself with and have given your reason for joining, how did you come to join them? Did you organize these things, or were you invited by someone you knew to join?

Miss KENYON. I was always invited. I have always been very busy with my law practice and then, of course, with my governmental work during those years of the thirties. Perhaps Government work isn't quite as trying as practicing law. I seem to have had a little more time in the late thirties when I was a Government official for extracurricular activities, and perhaps that is a pity. But in any event, you know, I got around, I spoke, and then I have always cared very much, as I stated, for the under dog; and the American Civil Liberties Union, of course, has dealt with under dogs; so people came to me and told me about projects.

Senator TYDINGS. What character of people suggested that you join any of these organizations?

Miss KENYON. Well, they were just people that I knew.

Senator TYDINGS. Were they prominent people in the community of well-known reputation, or were they people that were of shady reputation, or Communists, or pro-Communists, so far as you know, looking back on this record?

Miss KENYON. I would have said, for the most part, many of them were friends of mine who do have reputations, but I also know a lot of little people who don't have reputations in that sense of the word. and some of these little groups that have been talked about I surmise were perhaps in the beginning just a group of little people in some neighborhood in New York who had heard me speak and told me about their idea, and would I help them—maybe would I go on the advisory committee while they were trying to organize this thing, because I don't entirely deal in the world of Park Avenue and Wall Street.

Senator TYDINGS. I did not mean in the economic sense. I meant in the citizenship sense. Were any of these people who invited you to join, so far as you knew them, or so far as you know now, members

of the Communist Party, or allied with the Communist Party, or identified with Communist movements per se?

Miss KENYON. At the time when they came to me, I had no idea that they were Communists, if they were. I have had no idea whatsoever in respect to it. As I grew a little older in the thirties I worked out a policy that I was cooperative and friendly toward most people, but in respect to Communists, while I would support their civil liberties, my policy was isolationism, and I kept away from them and tried to keep them away from me.

Senator TYDINGS. I have lots of other questions, but I am going to defer to my two committeeemen so you may not stay here if we can get through. Senator Green?

Senator GREEN. Miss Kenyon, you have many times in reply to a question referred to your filing system and having found nothing in your files. I think perhaps it would be just as well for you to say a few words as to what this filing system was. Was it your habit to open a file for a new organization you joined, and things like that?

Miss KENYON. Yes, Senator. I would be very glad to answer that question. It sounds a little formidable to call it a filing system; but, of course, you know I have my law office; and we, of course, have my legal files; and I have file clerks.

When it has come to the question of these nonlegal matters, but extracurricular activities, so to speak, my organizational matters, my various secretaries from time to time have tried to get order in them, and I have a file of associations. Where I have a great deal to do with them, the files with respect to them become very voluminous, and then I have miscellaneous association files. When there are specific things which become important enough to have a file by themselves, they get a file; and then, as I say, in the "miscellaneous" comes in what I would call the cats and dogs, the things that maybe I have just contact with for a very short period of time.

I did not, Senator, keep—unfortunately, if I did, I would have to pay much more rent than I do now—and I cannot keep, all my files from the beginning of time, because every now and then we burst at the seams and I either have to throw out some old ones or buy some new filing cabinets or do both, and my office in New York is not a very big one. It is jammed with files. Every now and then we have to have a house cleaning, and out go a lot of little innocent lambs.

I had a file on this Political Rail Fund thing. We had a card for it. But it ended, you see, in 1934 or 1935, and there wasn't any file. We had thrown it out. So I was stuck. All I could do was to ask Roger Baldwin.

Senator GREEN. As a rule you have a file of one kind or other for any organization of which you are actively a member?

Miss KENYON. That's right, and we have cards for them.

Senator GREEN. And, when you say you haven't found any reference to it, you infer that in all probability it was just a passing interest or some minor activity like a speech or something of that kind?

Miss KENYON. That is precisely it. I also have a speech file, but it does not go back to the thirties.

Senator GREEN. My distinguished colleague asked you about a good many associations and organizations on which your name appeared

in some publication, such as an invitation to a dinner or something like that, and it was based on the theory of guilt by association.

Miss KENYON. Yes.

Senator GREEN. Because that is the only purpose it seems to me it could have, and he quoted the Secretary of State as referring to that as one of the criteria which might be used in determining an applicant or an employee's loyalty, although the Secretary of State used that only as one of a number—

Miss KENYON. A number of criteria?

Senator GREEN. Yes; that the thought should be applied.

I think it would be just as well, or I would be glad, at any rate, to hear your views on this theory of guilt by association. It always seemed to me as though that was one of the fundamental differences between the totalitarian and the democratic form of government.

Senator HICKENLOOPER. Mr. Chairman, so long as the Senator has predicated his question on his assumption of what I said, may I clear it up?

Senator GREEN. I will be glad to have you do so.

Senator HICKENLOOPER. I did not say the Secretary of State had set these up as criteria of loyalty. I used the term "security risk." There is a vast difference between security risk and either proof of or allegation of disloyalty. There is a vast difference between them. A bad security risk may be loyal intentionally.

Senator GREEN. I am glad the Senator understands the difference, because the resolution under which we are acting specifies disloyalty and not security risk, so I assumed that those who are charged in these hearings and before this committee were being charged with disloyalty. It seems to me it is a logical conclusion.

However, about this theory of guilt by association, I know you must have very definite ideas, and I will be glad to hear them.

Miss KENYON. Thank you, Senator. I want to be very brief.

Of course, guilt by association alone seems to me a violation of due process, which is in our Constitution as one of the civil liberties which I have fought for. The associations themselves, the organizations themselves—and I hold no brief for any of these; I am prepared to believe they are all devilish—nevertheless they themselves have never been found subversive by a court of law or by any process other than an administrative edict; and administrative edicts or fiat or whatever you call them sound to me like Mr. Hitler and Mr. Stalin; therefore, I think that the terming of an organization subversive is in itself a violation of civil liberty.

And then from that to jump to the fact that a person who is a sponsor or a member or participates in one tiny little project for a short period of time is therefore tarred with the same brush and is therefore himself or herself subversive seems to me a non-sequitur. Very frequently it just is not true.

Therefore it seems to me that due process is violated, and maybe it is a bill of attainder and maybe it is an ex post facto law. I am prepared to say that it is completely contradictory to the democratic process.

Senator GREEN. I thought that was your view, and I am glad to hear you state it so clearly.

Miss KENYON. I hope you read the New York Times editorial on "The Right To Join."

Senator GREEN. I did not. Perhaps this will be a good substitute.

There is just one other question: You were furnished with a good many lists on which appeared disreputable people as well as people of the highest repute. I have before me a document relating to you which contains people I do not think any of whom are disreputable, all of the highest repute.

Miss KENYON. Oh, Senator, thank you.

Senator GREEN. And I think it would be well if it appeared in the record now. It is headed "For release upon completion of testimony by Judge Dorothy Kenyon before Subcommittee of Senate Foreign Relations Committee, March 14, 1950."

I don't know whether you care to read it and place it in the record. You are the only witness here; I suppose, unless you are overcome by modesty, you may do it.

Miss KENYON. Senator, you embarrass me. Might my counsel read it for me? If I know what it is, I would prefer not to read it myself.

Senator TYDINGS. Counsel will read the document.

Mr. KIENDL. The document reads as follows:

The following is a statement made public today by New York Attorney C. C. Burlingham and other prominent New York lawyers.

"The charges against Dorothy Kenyon made by Senator McCarthy, of Wisconsin, in his testimony before the subcommittee of the Senate Committee on Foreign Affairs are so fantastically false that here in New York where we all know Miss Kenyon they might well be ignored, but as the charges have been spread through the press of the entire Nation we who have known Miss Kenyon for years feel in duty-bound to declare and spread the truth as widely as possible.

"Miss Kenyon was admitted to the New York Bar in 1917. She is an able and experienced lawyer and served as Justice of the municipal court by appointment of Mayor LaGuardia. She has served the city of New York with distinction in other official capacities and as a member of numerous boards and commissions of a public nature. She has attained a high reputation for her ability and her character. She is independent and liberal.

"We assert of our own knowledge that she has never had the slightest sympathy with communism in any of its forms. It is a matter of public record that long before World War II she warned of the loss of freedom in the totalitarian states. No citizen of New York is a more loyal American."

That is signed by: Ernest Angell, C. C. Burlingham, John W. Davis, Lloyd Garrison, Edward S. Greenbaum, Nicholas Kelley, William H. Davis, Newbold Morris, Robert Moses, Robert P. Patterson, A. J. G. Priest, Whitney North Seymour, and Ordway Tead.

Senator GREEN. Thank you.

Miss KENYON. Thank you very much, Senator.

Senator TYDINGS. Senator McMahon?

Senator McMAHON. No questions.

Senator TYDINGS. Miss Kenyon, we are very much obliged to you for coming down here and testifying. We will try and not call you back unless you get in the headlines again.

Miss KENYON. Unless I get in hot water.

Senator TYDINGS. I would like to announce before we adjourn that I would like to have an executive committee meeting of the subcommittee in room G-23 in the Capitol tomorrow morning at 10:30 o'clock. I hope all members will be present. It is important that they all be there promptly so we can dispatch some pending business.

(Whereupon, at 5:15 p. m., the hearing was recessed, to reconvene upon the call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, MARCH 20, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 281,
Washington, D. C.

The subcommittee met, pursuant to adjournment on March 14, 1950, at 10:20 a. m. in room 318, Senate Office Building, Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings, Green, McMahon, and Hickenlooper. Also present: Senator Connally (chairman of the full committee), Tobey, Wiley, and McCarthy.

Senator TYDINGS. The committee will please come to order.

Dr. Jessup, would you care to take the stand?

Hold up your right hand, first.

Do you solemnly swear that the evidence you shall give in the pending matter before this committee, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Ambassador JESSUP. I do.

Senator TYDINGS. Take seat, sir.

TESTIMONY OF HON. PHILIP C. JESSUP, AMBASSADOR AT LARGE OF THE UNITED STATES OF AMERICA

Senator TYDINGS. Dr. Jessup, you are familiar, I assume with why this committee is sitting.

Ambassador JESSUP. Yes, sir.

Senator TYDINGS. I likewise assume that you are familiar with the statement made by Senator McCarthy concerning you, sometime ago, during the process of these hearings?

Ambassador JESSUP. Yes, sir.

Senator TYDINGS. You have read it?

Ambassador JESSUP. Yes, sir.

Senator TYDINGS. Are you prepared to make an answer to that, today?

Ambassador JESSUP. I should like to do so, sir.

Senator TYDINGS. You may proceed in your own way.

Ambassador JESSUP. Thank you, Senator.

Mr. Chairman, my name, as I think may be known, is Philip C. Jessup. I reside in Norfolk, Conn., and my present position is Ambassador at Large of the United States.

Senator TYDINGS. Dr. Jessup, you might, for about a minute or two, give us a little biography as to how long you have been in the State

Department, and so forth, so that when you take up the record, those of the people here who are not familiar with that, will have that in mind.

Ambassador JESSUP. I have included that in my statement, with just a little prefatory paragraph, if I may.

Senator TYDINGS. That is all right, sir.

Ambassador JESSUP. I wanted to say, sir, that I greatly appreciate the opportunity that your committee has given me to appear before you in connection with the charges and insinuations which have been made against me by Senator McCarthy. On March 8 Senator McCarthy made the following statement to this committee which I quote from pages 71 and 72 of the record:

Although I shall discuss the unusual affinity of Mr. Philip C. Jessup of the State Department for Communist causes later in this inquiry, I think it pertinent to note that this gentleman now formulating top-flight policy in the Far East affecting half the civilized world was also a sponsor of the American-Russian Institute.

That is the end of the quotation.

Mr. Chairman, no one can be loyal to communism and also loyal to the United States. This attack on me by Senator McCarthy is obviously intended to give the impression that I am disloyal to the United States. When Senator McCarthy made that statement, I was in Pakistan completing an official mission throughout the countries of Asia. This mission was carried out as part of the effort this country is making to strengthen the free and democratic forces in Asia and the capacity of free Asia to resist subversive or antidemocratic forces.

During the course of this mission it was my duty to speak on behalf of the Government of the United States to the chiefs of state, prime ministers, foreign ministers, and other high officials of almost all of the countries of that area. In the course of that mission I also made various public statements in an attempt to make clear to the peoples of the east that the solution of their problems does not lie in the false hopes dangled before them by the agents of Communist greed and imperialism.

For example, at New Delhi, on February 23, 1950, I issued this statement to the press, and I should like to read that extract:

Since the end of the Second World War, history has recorded the extension of a new imperialism that has brought more than a dozen countries under the domination of a single expanding power. The device used by this expanding power in extending its imperialism is to hold out the glittering promises of communism as a beacon light for the rescue of peoples who are suffering from economic underdevelopment or who are trying to remove the shackles of the old traditional kinds of colonialism. However, where communism gains control, it becomes immediately apparent that the peoples are not allowed to determine their own future, but must conform to a single policy laid down in Moscow.

* * * Communism is hostile to what the Asian people want to do and what we want to help them to do—which is to develop the stability of their new countries and to develop their resources and their technical skills so that they are not subject to penetration, either through ignorance or distress or because they succumb to the false promises of the Communists.

That is the end of the quotation from that statement I made at New Delhi.

If Senator McCarthy's innuendoes were true, the representatives of the foreign governments with whom I spoke would be entitled to believe that my statements to them were deceitful and fraudulent. They would be entitled to believe that no confidence should be placed in the

declarations which I made on behalf of our Government. If it were true that the President and the Secretary of State had sent on such a mission a person who was a traitor to his own Government they might well feel that they could place no confidence in the statements made by any of the representatives of the United States abroad.

It may be relatively unimportant whether the character of a single American citizen is blackened and his name is brought into disrepute, but in the present serious situation of international relations throughout the world today it is a question of the utmost gravity when an official holding the rank of Ambassador at Large of the United States of America is held up before the eyes of the rest of the world as a liar and traitor. I am aware, Mr. Chairman, that Senator McCarthy has not used those words. But if his insinuations were true, these words would certainly be appropriate.

It is impossible for anyone to estimate the harmful effect that these innuendoes have had on the success of my mission and the foreign policy of the United States. It is clear that if these insinuations remain unanswered, they will further weaken the United States in its conflict with world communism. For that reason I flew back from Europe and asked this opportunity to be heard by this committee.

It is obvious that an individual holding the high position of Senator of the United States would not venture in this way to undermine the position of the United States in its relations with the rest of the world unless there was some reason for doing so. I have tried to figure out what the reason behind this attack might be.

I suppose that if I chose to follow the tactics which you gentlemen have witnessed in recent weeks, I would start with the hypothesis that this action was Communist inspired. It so happens that, so far as I know, the only other attack upon my integrity during the course of my trip in Asia was made by the Peiping Communist organs, and by Izvestia, the official publication of the Soviet Union in Moscow.

On March 8, Izvestia attacked me in the following manner:

At a press conference arranged on February 28 in Delhi, Jessup set out to obtain a change of view in Indian public opinion. Jessup brought into action all kinds of means: Flattery and the publicizing of American "assistance to backward regions" and most of all, of course, slanderous fabrications against the U. S. S. R. * * * In general, Jessup tried with all his might but he had little success. The imperialistic aggressive character of the policy of the United States throughout the world, and in Asia in particular, is so evident that no hypocritical speeches and anti-Communist philippics could hide it.

Mr. Chairman, I should like to place before the committee copies of other Communist attacks upon me. I have them with me, and would like to deliver them before you in a few moments.

Senator TYDINGS. They will be inserted in the record at this point.

EXHIBIT 1—JESSUP

ATTACKS BY COMMUNIST PRESS AND RADIO UPON AMBASSADOR JESSUP

- (1) Excerpt from an article in Jen Min Pao, Peiping newspaper, on January 10, 1950.
- (2) Excerpt and summary of article in Wen Hui Pao, Shanghai newspaper, on January 11, 1950.
- (3) Excerpt from an editorial in Wen Hui Pao, Shanghai newspaper, on January 12, 1950.
- (4) Excerpts from an editorial in Chaunmin Pao, Communist newspaper, on January 26, 1950.

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- (5) Excerpts from an editorial in Seng Hwo Pao, Djakarta newspaper, on January 31, 1950.
- (6) Radio Peking broadcast of February 13, 1950.
- (7) Radio Moscow broadcast of February 13, 1950.
- (8) Excerpts from an article in Izvestia on March 8, 1950.
- (9) Official translation of an article in Izvestia, March 8, 1950.

EXCERPT FROM JEN MIN PAO, PEKING PAPER, JANUARY 10, 1950, CONCERNING THE UNITED STATES OCCUPATION OF JAPAN

[The excerpt is contained in an official plain language telegram to the Department of State from Peking]

INCOMING TELEGRAM

DEPARTMENT OF STATE, DIVISION OF COMMUNICATIONS AND RECORDS

Control 5359
Rec'd January 18, 1950, 10:45 p. m.

From: Peking.

To: Secretary of State.
No. 101, January 13.

Sent Department 101, Shanghai 29, Tientsin.

Peking Jen Min Jih Pao January 10 carried NCNA.

January 9 despatch re United States occupation Japan. Translation follows:

Administrator U. S. Far East aggressive policy and Ambassador at Large Jessup arrived Tokyo January 5, held series secret meetings with MacArthur. According own statement discussed Japanese Peace Treaty and other problems including Taiwan question. According Tokyo UP January 8 despatch, observers believe Jessup talked about question forming U. S.-Japanese alliance simultaneous conclusion separate peace treaty with Japan. This means under form U. S.-Japanese alliance U. S. will occupy Japan long-term basis make Japan main U. S. base advancement aggression Far East. Concerning China Jessup said, "U. S. has not abandoned, not planning abandon China other Far East countries. U. S. will continue oppose O. P. actions overthrowing existing governments by violence." This means U. S. imperialism continuing to adopt aggressive policy intervention China's domestic affairs and to be enemy people China all Far East countries. End translation.

CLUBB.

AGA: MW

EXCERPT AND SUMMARY OF ARTICLE IN WEN HUI PAO, SHANGHAI COMMUNIST PUBLICATION, ON JANUARY 11, 1950, CRITICIZING AMBASSADOR JESSUP

[The document which contains the excerpts and summary is an official plain language telegram to the Department of State from Shanghai]

INCOMING TELEGRAM

DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

Control 4238
Rec'd January 12, 1950, 8:08 a. m.

From: Shanghai

To: Secretary of State

No. 176, January 12

Sent Department 176, repeated Peking 42, Taipei 61 (Taipei repeat Hong Kong). Press Review:

Wen Hui Pao January 11 carries following comment entitled "another devilish scheme": "Ambassador-at-large Jessup, executor of American aggressive policy in Far East, is conducting series of secret meetings in Japan with MacArthur.

"What is secret? It is one known to all, a 'secret' filled with devilish designs. They are attempting to conclude unilaterally peace treaty with Japan, and at same time 'American-Japanese alliance.' American imperialism intends to place Japan under its perpetual enslavement, and use Japan as base for aggression of Far East, principally China.

"Let us listen to dream-like babbling of Jessup. He says that U. S. has not abandoned, and does not propose to abandon, China or other Far East countries, and that U. S. will continue to oppose acts of Communists in seeking overthrow of existing governments with brutal force. Such is way Jessup slanders overthrow by Chinese people of traitorous reactionary group."

But Chinese people, too, have not abandoned, nor do they propose to abandon, mission against imperialism, feudalism, and bureaucratic capitalism. Though this mission has been basically consummated, China will continue to raise high her vigilance, and continue to oppose and deal blows to imperialism attempts for enslavement of Far East.

EXCERPT FROM AN EDITORIAL IN WEN HUI PAO, SHANGHAI COMMUNIST PAPER, JANUARY 12, 1950, CONCERNING AMBASSADOR JESSUP'S TRIP TO THE FAR EAST

[The excerpt is contained in an official plain language telegram to the Department of State from Shanghai]

INCOMING TELEGRAM

DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

Control 5403.
Rec'd January 14, 1950, 1:33 a.m.

From : Shanghai
To : Secretary of State
No. 205, January 13

Sent Department 205, repeated Peiping 46, Hong Kong 28, Taipei 73, Tokyo 8.
Press review :

Wen Hui Pao, January 12, carries following editorial headed "Watch Americans New Intrigue in Far East."

"Philip C. Jessup, American Ambassador at Large, Chief of American State Department's Far East Policy Study Group, and responsible executor of American policy of aggression in Far East, arrived in Japan about week ago and has since been engaged in series of secret conferences with MacArthur, American reactionary leader who now rules Japan.

"According to Jessup's open announcement and to information given out by Americans' own news agency, problem of peace treaty with Japan together with other problems related to Far East (including problem of Taiwan) constitute object of these secret conferences.

"What is termed problem of peace treaty with Japan is nothing but attempt by American imperialists to conclude unilateral peace treaty with Japan to exclusion of Soviet Union and China, to lay foundation for future formulation of U. S.-Japanese alliance. In other words, America will use U. S.-Japanese alliance to turn Japan into American base of aggression in Far East, and use unilateral peace as means of carrying out prolonged occupation of Japan as well as fostering Japanese reactionary forces."

TRANSLATION OF EDITORIAL IN CHINESE COMMUNIST NEWSPAPER CHUANMIN PAO OF JANUARY 26, 1950, ENCLOSURE TO UNITED STATES FOREIGN SERVICE DISPATCH NO. 162 OF MARCH 2, 1950, FROM JOHN F. STONE, FIRST SECRETARY OF EMBASSY, BANGKOK, THAILAND

Period : January 20-30, 1950.

TRANSLATIONS FROM CHINESE NEWSPAPERS, AMERICAN EMBASSY, BANGKOK

Chinese associations: Kir Pong Elected President of Taechiu Association
News Item January 20

CHUANMIN PAO (Communist)

Following is the result of yesterday's elections of the Taechiu Association:
*Kir Pong, President and Member of Standing Committee; Sow Kung-kiam, Vice President; Tang Sang Hah, Treasurer; Lee Ki-heong, Secretary; Teng Boon-iang, Ngow Jin-an, Bae Thian-ek, Members of Standing Committee. *Kir Pong at present is in Hongkong (translator's note).

Sino-Thai relations: Peking Radio Attack on Thailand

Editorial January 25

KUANG HUA PAO (Tending to pro-Communist)

We Chinese overseas are, of course, fully aware of the denials from the Thai Parliamentary Secretary to the Foreign Ministry, the Foreign Minister, Premier Phibun and the Publicity Department, following the UP report quoting Peking Radio broadcasts concerning the Thai government's oppression of Chinese.

Speaking conscientiously, since the very beginning of Sino-Thai relations Thai people have very rarely gone to China but a great number of Chinese have immigrated into this country, especially during recent years. The Chinese have favors to seek from Thailand, while the Thai have nothing to obtain from China. Therefore, the Thai authorities take no interest in Chinese problems, and chaffer freely without fear because they assume they have support. Such "denials" of the UP report are an example.

If the problems of overseas Chinese are to be solved, instead of laying blame on others we should help ourselves first by stabilizing the political condition, so that the rich may invest their money at home and the poor may contribute their services to the nation. If overseas Chinese can change the heath and thicket to prosperous cities in behalf of others, why not rebuild our own home in China?

If this is realized, there would be more Chinese going home than going abroad, and such matters as a "protest" will be unnecessary since every Chinese overseas is pleased to go back to his motherland.

Imperialism: Bangkok Conference and "Pacific Pact"

Editorial January 20

CHUANMIN PAO (Communist)

The U. S. imperialist Far East Diplomatic Conference has been scheduled to open from February 13-17 in Bangkok. This important conference in which the U. S. imperialist Far East aggressive plan is to be revised should not be overlooked. Jessup, head of this conference, is one of the authors of the aggressive Far East policy of the U. S. State Department.

From the United States, he has been to Tokyo, Taiwan, Hongkong and Manila. During a two-day stay in Taiwan, he had secret talks with the bandit Chiang; in Manila, he did not quit until Quirino promised to accept the U. S. imperialist "point four" and to convert the Philippines into the "showroom of the Far East."

There should be no doubt of the purpose of the conference since Jessup has to go round for secret talks with rulers of various Far Eastern nations long before the conference takes place. For example, according to informed quarters in the Philippines, Quirino not only gave assurance of his "cooperation" with the United States in its defense plan, but also expressed his "welcome" to the assurance from American officials that the U. S. will retain adequate forces in the Far East. Whereas any nation in the Far East needs only to express "welcome" and give assurances of "cooperation" with American imperialists for what they required, the deal surely is successful and mutually beneficial.

**EXCERPT FROM AN EDITORIAL IN SENG HWO PAO, CHINESE COMMUNIST NEWSPAPER
IN DJAKARTA, JANUARY 31, 1950**

[The excerpt is contained in an official communication to the Department of State from Djakarta, Indonesia]

FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

Priority: Air pouch,
050d.01/2-750

Security: Unclassified

To: Department of State

From: Djakarta 02 February 7, 1950

: f: Voluntary

Subject: Chinese newspaper editorial on Jessup Mission.

There is cited below an English translation of an editorial, A Few Words to Jessup, which appeared January 31, 1950, in the SENG HWO PAO, a Chinese Communist newspaper published daily in Djakarta.

A FEW WORDS TO JESSUP

The American Ambassador-at-Large, Philip C. Jessup, the day before yesterday arrived in Djakarta from Vietnam. He intends to stay here five days. He conferred with Hatta. The subject of discussion was kept a secret. What medicine he is offering for sale only he himself knows.

But the secret medicine he is selling is after all no great mystery—it is only a quack medicine!

The medicine Jessup is selling was offered in Japan, South Korea, Taiwan, Philippines, Vietnam, Singapore and now in Indonesia. It is reported that it will be brought to Rangoon and Bangkok. In the Bangkok American Foreign Service Officers Conference special instructions will be given for the sale of "anti communism" medicine.

Well, has this "anti communism" medicine trade of Jessup had any success? No, it is a failure!

The cause of his failure is his misunderstanding of the main problem: The chief aspiration of all Asiatics at present is, as pointed out by Nehru, "Colonialism, Quit Asia! The Asiatics must be fully independent." But Jessup apparently does not realize this. On the other hand, he is applying the "colonialism whip" harder and harder.

As evidence, let us look at Vietnam. The fact that the U. S. is going to recognize Bau Dai is a clear proof of its motive. Vietnam is a puppet of France. This can be seen from the transfer of sovereignty agreement signed on December 30, 1949. In that agreement it was said down!

RWRinden/rnm 2-1-50
4 1 1

RADIO PEKING BROADCAST TO CHINA AND OVERSEAS, FEBRUARY 13, 1950, AS TRANSLATED FROM THE MANDARIN AND PUBLISHED IN THE OFFICIAL DAILY REPORT OF THE FOREIGN BROADCAST INFORMATION SERVICE OF THE UNITED STATES (NO. 81-1950) AT PAGES BBB 1-2, CONCERNING AMBASSADOR JESSUP'S RECENT TRIP TO THE FAR EAST

CHINA, February 14, 1950.

Bangkok Conference to Plan New Schemes.

Peking, in Mandarin, to China and Overseas, February 13, 1950, 1230 GMT—R. (Anonymous Commentary on "American Ambassador Jessup's So-Called Far Eastern Tour of Inspection".)

"In the middle of this month, the conference of American far eastern diplomatic personnel will meet in Bangkok, the capital of Thailand, to discuss the over-all American plan for aggression in the Far East.

"Some time ago, the American imperialists had made intensive plans for this conference. The head of this conference, American Ambassador Jessup, left America last year on Dec. 22 for the Far East to carry out his nefarious schemes.

"Within the last month, Jessup has been to Japan, South Korea, Okinawa, Taiwan, Hong Kong, Philippines, Viet Nam, Indonesia, Singapore, and Burma.

"Every time Jessup reached a place, he held secret meetings with the local leaders on the so-called conditions for anti-Communism.

MEETINGS IN TAIWAN

"On Jan. 15, when Jessup arrived in Taiwan, he met with the head of the Kuomintang, Chiang Kai-shek, Wu Kuo-chen, Yen Hsi-shan, and Chen Cheng for secret talks. The Kuomintang CENTRAL NEWS reports that Jessup exchanged views with the bandit Chiang on the Far Eastern situation and the world problem of anti-Communism. They discussed * * *, the military aspects of the defense of Taiwan, and other military problems relating to politics and economics.

"When Jessup arrived in the east, on Jan. 18, he issued a statement on the policy for the Far East and Asia. In this statement, he openly stated the points which the American imperialists opposed their enemy, the peoples of Asia.

"The American imperialists have a clear policy for the Far East. That is to say, America will continue to use force and other similar measures to oppress

the people's liberation movement in Asia. She will support reactionary control in the countries, so that she can compromise the nation's independence and make them into American colonial territories and protectorates.

"ARRIVAL IN INDOCHINA

"On Jan. 27, after Jessup's arrival in Hanoi, Indochina, he personally called upon the puppet king of Viet Nam, Bao Dai, and the puppet premier, Nguyen Phan Long. He also delivered American Secretary of State Acheson's letter of congratulations to Bao Dai.

"This letter stated: 'America is willing to establish close relations; that is to say, is willing to recognize the puppet Bao Dai regime.'

"Not long afterwards, on Feb. 7, the American Government recognized the Bao Dai regime forthwith. At the same time, under Jessup's direction, American arms flowed to Indochina for Bao Dai.

"After staying in Viet Nam for a few days, Jessup arrived in the capital of Indonesia on Jan. 20. The reactionary leaders of Indonesia, Sukarno, Hatta, etc., held secret talks with him. At this time American arms were shipped to Indonesia for Sukarno and his group to oppose the liberation movement of the people of Indonesia.

"After Jessup had left Jakarta and had arrived in Singapore, he made a broadcast speech on the evening of Feb. 6 in which he exposed the American imperialists plans for aggression in the Far East. He insisted that the western nations had the right to drastic steps in Southeast Asia.

"POINT 4 PROGRAM

"Jessup brought up Truman's plan for economic penetration known as the so-called point 4 program. He said that this plan could bring universal prosperity to all peoples. This so-called coprosperity is not Jessup's new invention; this scheme for aggression was long ago loudly proclaimed by the Japanese Fascists, such as the so-called joint prosperity, greater East Asia coprosperity sphere, etc.

"The people of Asia know the meaning of these words. On the morning of Feb. 8, Jessup enplaned for Rangoon, Burma, the last point of aggression before his arrival in Bangkok.

"From reviewing the past two months of Jessup's secret negotiations in the different parts of Asia, we can see what the Bangkok conference is like. There is no doubt that this conference is to discuss American imperialist aggression in Asia.

"Because of the great victory of the Chinese people, the struggle of the people of Asia for democracy and independence has been growing daily. American imperialists have received a serious blow. The American imperialists in order to overcome their losses in Asia and the Far East are planning new schemes to enslave the peoples of Asia. The Bangkok conference has been convened for this purpose. But the people of China and the other countries of Asia are growing exceedingly powerful. They know that imperialism is only a bluff, and all its schemes will fail."

RADIO MOSCOW ENGLISH LANGUAGE BROADCAST TO SOUTHEAST ASIA, FEBRUARY 18, 1950, AS PUBLISHED IN THE OFFICIAL DAILY REPORT OF THE FOREIGN BROADCAST INFORMATION SERVICE OF THE UNITED STATES (NO. 81, 1950), AT PAGES CC 5-6, CONCERNING AMBASSADOR JESSEUP'S RECENT TRIP IN THE FAR EAST

USSR: OVERSEAS AND FAR EAST, February 14, 1950.

In 1871 the Germans obtained the drawings of Russian ice breakers and built similar boats. The first oceangoing ice breaker was constructed in Russia in the latter part of the nineteenth century. Today the Soviet Union has the largest fleet of ice boats.

Bangkok Parley to Plan Pacific Union.

Moscow, in English, to Southeast Asia, Feb. 13, 1950, 1600 GMT-L.

(Commentary on the Conference of the U. S. diplomats, which opens in Bangkok on Feb. 14.)

(Summary.)

The conference of U. S. diplomats opens in Bangkok today. U. S. intelligence agents and spies, agents of Wall Street in Southeast Asia who have taken the

guise of diplomats are meeting together. Judging by reports from the foreign press, the conference is to discuss the plan of struggle against the Chinese People's Republic and the national liberation movement in Asia.

The New York Herald Tribune has reported that immediately after the proclamation of the Chinese People's Republic the State Department decided to draw up what is called "a positive policy" with regard to China and the other countries of the Far East and Southeast Asia. A special commission was set up under Dr. Jessup to work out concrete steps. The paper also revealed that the main task before the commission was to work out a general plan of combat in Asia.

The U. S. militarists are laying the ground for large-scale intervention in Asia, and they are doing it under the guise of economic aid to the underdeveloped and dependent countries, as formulated in Truman's Point Four program. They are thus trying to stem the rising tide of the national liberation movement in order to turn the territories of the Far East and Southeast Asia into U. S. colonies and into military bases for fighting against the Chinese People's Republic and for unleashing a new World War.

TOUR OF JESSUP

Shortly after Jessup's arrival in Tokyo, there was held a conference of U. S. Chiefs of Staff. This conference discussed MacArthur's plan for converting Japan into an advance outpost of the U. S. strategic defenses; that is, of U. S. aggression in the Pacific. In this connection, the conference considered the question of including Japan as a member of the so-called Pacific Union. The U. S. sponsors of this aggressive union intend Japan to play the role of gendarme to strangle the national liberation movement. However, the foremost task of the Japanese militarists is to render aid to the Kuomintang remnants on Taiwan. This help is already being given.

As has been reported in the American press, Jessup spent his time on Taiwan making a thorough revision of Kuomintang finances and in holding a number of secret conferences with the representatives of the Kuomintang clique. Apart from Chiang Kai-shek, Jessup met other puppets and reactionaries, the U. S. agents in Southeast Asia and the Pacific. He also conferred with the heads of the colonial administrations of Britain, France, and the Netherlands, assuring them all of U. S. active help and support.

Speaking at a press conference in Singapore, Jessup said that urgent measures would have to be taken to stem the advance of communism in southeast Asia. And so to halt the further spread of the national liberation movement, the U. S. imperialists are now feverishly searching around for new bases and new agents. They are putting their stakes on the Japanese militarists. They are trying to breathe new life into the political corpse of Chiang Kai-shek, to muster all the reactionary forces of the Far East and Southeast Asia together in an aggressive Pacific Union.

But all these attempts are in vain. Jessup made a broadcast at Singapore in which he made the admission that his stay in Asia had been a disappointment. Ever more energetic action is being taken by the peoples of the colonial and dependent countries against the Anglo-U. S. imperialists and their hirelings and puppets. China has liberated herself, she is an independent country. The imperialists are being thrown out of Viet Nam.

The peoples of Malaya and Burma are rising in a struggle for liberation. The mighty national liberation movement of the peoples of Asia is mounting day by day, and Jessup could not but feel it. The New York Herald Tribune has had to admit that the situation in the Far East is so bad that it would be absurd to suggest that a few arms, aircraft, capital investments, or diplomatic ruses could save the position. That really is so; nothing can help the U. S. imperialists now.

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**EXCERPT AND SUMMARY OF ARTICLE IN IZVESTIA ON MARCH 3, 1950, COMMENTING
ON AMBASSADOR JESSUP'S TRIP**

[The document which contains the excerpts and summary is an official plain language telegram to the Department of State from Moscow]

INCOMING TELEGRAM

DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

**Control 1768
Rec'd March 8, 1950, 7:45 p. m.**

**From : Moscow.
To : Secretary of State.
No. 740, March 3.**

Sent Department 740. Department Pass Delhi 18, Karachi 12.

Izvestia March 3 prints ¾ article bad reception Jessup India. States goal trip India, Pakistan, Afghanistan to bring countries into "Pacific aggressive bloc" not secret. "Discomforting results conference Bangkok and evidence received by Jessup that Pacific bloc idea does not elicit enthusiasm countries Asia forced Jessup strengthen pressure ruling circles India, Pakistan." At press conference February 23 Jessup used all means "flattery and advertisement American 'old backward areas' and more than all of course slanderous inventions against USSR" to change "established Indian opinion, according his own acknowledgement, that USA striving for world domination, that they are 'conducting struggle for control' over people Asia and would wish create more military bases particularly Nepal, Kashmir."

Jessup mission failure since could not conceal "imperialist aggressive character US policy." "Even in bourgeois Indian press" this revealed. Quotes "search-light" effect Americans not welcomed Southeast Asia as liberators, "we suffered much from colonial domination, don't wish cropping up wars on doorstep." Quotes "Indian NEWS CHRONICLE" effect accusations Soviet imperialism more convincing if Soviet not French, British troops occupy Indochina, Malay, Soviet not American planes given Chiang bomb civilians Shanghai, "only foreign domination which people Asia know is domination western powers."

BARBOUR

LWH: EMS

NOTE: Relayed to New Delhi, Karachi, 7:50 p. m. 3/3/50—MB PLAIN

**OFFICIAL TRANSLATION BY THE DIVISION OF RESEARCH FOR EUROPE, UNITED STATES
DEPARTMENT OF STATE, OF AN ARTICLE APPEARING IN THE SOVIET NEWSPAPER
IZVESTIA, MARCH, 3, 1950, CONCERNING AMBASSADOR JESSUP'S RECENT TRIP IN
THE FAR EAST**

TAKEN FROM IZVESTIA, MARCH 3, 1950

After the conclusion in Bangkok of a conference of American diplomatic representatives in the countries of Asia and the Pacific Ocean, the director of this conference, the representative of the United States Department of State, Jessup, made a trip to India, Pakistan and Afghanistan. The aim of this journey does not present a secret to anyone. Jessup's task is to convince the governments of these countries to enter into a Pacific aggressive block whose creation was planned at the conference at Bangkok.

It must be said that if, before the conference in Bangkok and in the conference itself, Jessup took measures to keep the aggressive intentions of the United States secret, then on arriving in Delhi he himself destroyed the fruits of his previous efforts. It is evident that the unsatisfactory results of the conference in Bangkok and the information received by Jessup that the idea of a Pacific block does not provoke enthusiasm in the countries of Asia, forced him to increase pressure on the ruling circles of India and Pakistan. At a press conference arranged on February 23 in Delhi, Jessup set out to obtain a change of view in Indian public opinion. Jessup brought into action all kinds of means: flattery, and publicizing of the American "assistance to backward regions" and most of all, of course, slanderous fabrications against the U. S. S. R. With these weapons Jessup began a campaign against the opinion which, according to his own admission, had formed itself in India that the U. S. is striving for world

domination, that it "carries on a struggle for power" over the peoples of Asia and would like to create numerous new military bases, in particular, in the Nepal and Kashmir. In general, Jessup tried with all his might but he had little success. The imperialistic aggressive character of the policy of the United States throughout the world, and in Asia in particular, is so evident that no hypocritical speeches and anti-communist philippics could hide it. This is seen according to the reaction to the visits of Jessup to India which has appeared even in the bourgeois Indian press. Here are some of those reactions:

The paper Searchlight: "The supposition that the Americans are welcomed in Southeast Asia as liberators is idiotic and shameless * * *. We have suffered much from colonial mastery and we do not want the start of a war at our doorstep."

The paper Indian News Chronicle: "The accusation of 'Soviet imperialism' would be more convincing if it was Soviet and not French troops who are occupying Indochina, if it were Soviet and not English forces who are occupying Malaya. The accusation about 'Soviet intervention' would be more convincing if it were Soviet and not American planes given to Chiang Kai-shek who are bombing the civilian population of Shanghai * * * the only foreign domination which is known by the people of Asia—that is, the domination of the Western Powers."

This declaration of an Indian newspaper scores a target right in the face of the American imperialists and their partners in Colonial looting. Mr. Jessup has difficulty in finding people who would openly agree to defend American policy in Asia and as far as touching the secret combinations which are being organized by Jessup in the capitols of Asiatic countries, they will inevitably fail as has often happened with a foreign policy of American ruling circles.

(Signed) OBSERVER.

Ambassador JESSUP. So you see, while I was on this mission, I was attacked by two sources, Izvestia and Senator McCarthy. Anyone who believes in the concept of guilt by association might draw some startling conclusions from this fact. However, I do not believe in the concept of guilt by association.

Senator HICKENLOOPER. Mr. Chairman, at that point, might I ask Mr. Jessup a question?

Senator TYDINGS. Would you like to let him finish and then interrogate him, so we won't be charged with heckling; or would you like to do it now?

Senator HICKENLOOPER. I shall bow to the suggestion of the chairman.

Senator TYDINGS. I think he should finish his statement.

Ambassador JESSUP. Thank you, sir.

As the Attorney General stated in a letter to Seth W. Richardson, Chairman, Loyalty Review Board, Civil Service Commission, dated November 24, 1947, "Guilt by association has never been one of the principles of American jurisprudence."

Moreover, Mr. Chairman, I do believe that anyone who, without adequate proof, levels a charge of conscious or ignorant support of communism at a Member of the United States Senate, or at an official of the United States Government, is irresponsible. I have no evidence that Senator McCarthy was motivated by a desire to assist the international Communist movement, even though his words and actions have had that effect. I therefore reject this first possibility concerning the reasons for the insinuations made against me.

A second possibility might be that such an attempt to discredit the position of the United States in its relations with the other free countries of the world was inspired by sheer partisanship. It is hard to believe that anyone holding the position of a Member of either House of Congress of the United States would so subordinate the interests of his country to sheer partisan advantage. I am sure no one of our

major parties would do so. I shall therefore pass on to a third possibility.

The third possibility might be that the person bringing these charges had made a careful investigation and was convinced they were true and so serious that they ought to be made public even before the individual concerned had been asked for his side of the story.

Are these charges and insinuations true? Senator McCarthy asserts that I was a "sponsor" of the American-Russian Institute. It is true that my name appears on a list of the sponsors of a dinner given by the American-Russian Institute, but not as a sponsor of the organization itself. The dinner in question was one given on May 7, 1946, on the occasion of the presentation of its first annual award to Franklin D. Roosevelt, which was accepted on behalf of his family. Senator McCarthy pointed out that the names of Howard Fast, Saul Mills, Ella Winter, John Howard Lawson, and Langston Hughes also appeared on this list. He did not point out that approximately 100 people were named on this list of sponsors and that it also included such names as H. V. Kaltenborn; George Fielding Eliot; Dean Christian Gauss, of Princeton; and Mary Emma Wooley, former president of Holyoke. The entire list of them is already in evidence as an exhibit of this committee, and the committee can make its own judgment as to the caliber and variety of the people who are on it. A search of my files has failed to reveal any information concerning this incident, nor do I remember attending the dinner. From approximately February to June of the year 1946 I was seriously ill in a hospital in New York City, so it is unlikely that I attended.

I do recall, however, that I was asked by Mr. William Lancaster, a prominent New York lawyer, to permit my name to be used as a sponsor of a dinner which was to be held on October 19, 1944. I had met Mr. Lancaster particularly through his activities on the Foreign Policy Association, at a time when Gen. Frank McCoy was president and Senator Alexander Smith and I were members of the board. I accepted that invitation in 1944 but was unable to attend the dinner. I shall be glad to make the entire list of approximately 250 sponsors available to the committee.

It is, however, utterly irrelevant to the charges or insinuations that I or anyone else agreed to sponsor dinners of the American-Russian Institute of New York City in 1944 or 1946. There was no reason why a loyal American should not have done so. The Attorney General expressly excluded the American-Russian Institute of New York from the first lists of subversive publications which were published and did not include it until April 21, 1949. The committee may be interested in knowing that I turned down invitations to speak at dinners held by this organization in both 1948 and 1949.

During the course of my life I have participated in many organizations. These organizations have been of a type that one would normally associate with a person of my outlook and interests. They include the American Philosophical Society, founded by Benjamin Franklin; the Foreign Policy Association; the American Society of International Law; the Sigma Phi Society; the Carnegie Endowment for International Peace; the American Bar Association; and the American Legion. From 1933 to 1946 I was closely associated with the Institute of Pacific Relations. I am proud of my association with that organization, which was founded by a group of leading

businessmen and scholars in Honolulu sometime in the midtwenties for the purpose of increasing knowledge and friendship among the peoples of the Pacific area. Despite the controversy which has occasionally surrounded it, that organization continued to discharge the functions for which it was created. Although there is still much to be done in increasing the knowledge of the American people about countries of the Pacific area, the institute has made a real contribution to the advance which has been made in this field during the last 25 years.

I first became associated with it in 1933, when the late Newton D. Baker was its chairman. It is necessary to explain that the Institute of Pacific Relations is an international organization composed of national councils in countries touching upon or having close interests in the Pacific area. My first contact with the organization was to attend in 1933 one of the periodic international conferences which have been held by the organization. In those meetings leaders of business and banking, former high officials of government, journalists, labor leaders, researchers, and teachers from all of the Pacific countries have met for a common study of the problems of the area. Many of the leading figures whom I have since met in the United Nations I first met through my connection with the Institute of Pacific Relations, including Mrs. Pandit, presently Indian Ambassador to the United States, and Dr. Hu Shih, the great Chinese philosopher who was former Chinese Ambassador in Washington. As indicative of the type of personnel attending these conferences, I should also like to refer to the one held in Hot Springs, Va., in 1945, at which I was chairman of the American delegation and Admiral Thomas C. Hart, later United States Senator from Connecticut, was vice chairman.

I was a member of the board of trustees of the American council of the institute from about 1933 until my resignation because of health and the pressure of other work in 1946. I was chairman of the board of trustees of the American council during 1939 and 1940. I was the chairman of the Pacific council from 1939 to 1942. I have also at various times served as a member of the executive committee of the American council and in 1944 as chairman of the research advisory committee. I was succeeded as chairman of the American council by the late Dr. Ray Lyman Wilbur, president of Stanford University, who, in turn, was succeeded by Robert G. Sproul, president of the University of California, and now by Gerard Swope, honorary president of the General Electric Co. Throughout my connection with the institute, the board of trustees has included leaders of American business, finance, and academic and public life.

Now, Mr. Chairman, I would assume that anyone who was interested in inquiring into what I had done and what I have stood for would be interested in my entire life and background. An inquiry into my background would have shown that my ancestors came to this country from England in the seventeenth century and settled on Long Island and in Pennsylvania and New England. My great-grandfather, Judge William Jessup, of Montrose, Pa., was a delegate to the Republican convention of 1860, which nominated Abraham Lincoln for the Presidency. He was chairman of the committee which drafted the platform upon which Lincoln was elected. A great-grandfather on my mother's side, John M. Butler, as a Pennsylvania delegate, cast

his vote for Lincoln at that same convention. My father was a lawyer in New York City and a lay leader in the Presbyterian Church. On my mother's side my forebears were Irish and also among the early settlers of this country.

While the Bolshevik revolution was gaining control in Russia, I was serving as a private in the One Hundred and Seventh Infantry in the AEF in France. Shortly after the armistice I returned to Hamilton College in central New York to finish my education, which had been interrupted by my enlistment in the Army.

Now, one hears in these days that some individuals have been misled during their college years to espouse radical doctrines, including the Communist philosophy. If I had developed any radical tendencies in that period, they presumably would have been revealed in my immediately subsequent activities. Actually, on leaving college I took a position as assistant to the president of the First National Bank of Utica, N. Y. I remained with the bank for 2 years, subsequently becoming assistant cashier. During those 2 years in Utica, I was also superintendent of the Sunday school of the First Presbyterian Church and commander of a local post of the American Legion. I am still a member of the American Legion.

In July 1921 I married Lois Walcott Kellogg, whose ancestors were also of English and Dutch pioneer stock and whose mother was a sister of the late Frederic C. Walcott, United States Senator from Connecticut.

During my service in the Army I had developed an overwhelming desire to devote my life to promoting the cause of international peace, and with this purpose in mind I resigned my position at the bank soon after my marriage and entered the Columbia University Law School. At this stage, as later in my life, I had the privilege of securing the advice of the late Elihu Root, who had lived on the campus of Hamilton College and whom I came to know there. After 2 years at Columbia, I transferred to Yale University and received my bachelor of laws degree there in 1924. Immediately afterward I secured a position as assistant to the Solicitor in the Department of State and served in this capacity for a year before going back to Columbia as lecturer in international law. I have been on the Columbia faculty ever since. I am now on leave from my present position as Hamilton Fish professor of international law and diplomacy.

In 1925-26, when the Senate of the United States was considering again the question of American accession to the World Court, I served as personal research assistant to the late Senator Irving Lenroot, of Wisconsin.

In 1929 Mr. Elihu Root was asked by Secretary of State Kellogg to represent the United States at a Conference of Jurists in Geneva, at which the question of United States accession to the Statute of the World Court was considered. Mr. Root, whose views about Russian communism are certainly a matter of public record, invited me to go along with him as his assistant. I am proud to say that I continued to enjoy Mr. Root's confidence and friendship until his death in 1937. Not long after I had accompanied him to the Conference of Jurists, he authorized me to write his biography, and I spent a good deal of my time between 1931 and 1937 on its preparation. The biography was published in 1937, and covers the wide range of American law, busi-

ness, politics, and diplomacy which filled the life of that very great American statesman and leader both of the American bar and the Republican Party.' In 1930, Mr. Harry Guggenheim, who had just been appointed by President Hoover as United States Ambassador to Cuba, invited me to go to Cuba with him as his personal legal adviser. I served with him there for about 9 months.

After several years back at Columbia, I was called back into public service by Governor, now Senator, Herbert H. Lehman, who in 1943 asked me to come to Washington as Chief of the Division of Training and Personnel in the Office of Foreign Relief and Rehabilitation Operations which he was then organizing. In December of that year, I served as Assistant Secretary General of the First Conference of the United Nations Relief and Rehabilitation Administration, commonly known as UNRRA, and in 1944 I served in a similar capacity at the United Nations Monetary and Financial Conference at Bretton Woods.

Meanwhile, during a period from 1942 to 1945, I was the associate director of the Naval School of Military Government and Administration, established at Columbia University at the request of the United States Navy Department. In that school we trained some 500 officers for service in occupied areas in the Pacific area. During part of that time, I was also serving as consultant to the Navy Department in Washington, as a lecturer at the Army School of Military Government at the University of Virginia, and as a lecturer in the Navy War College at Newport. I had previously lectured at the Navy War College in 1931, 1939, and 1941. I might add that since the war I have also delivered two lectures at the National War College in Washington, and in 1948 was invited to become a member of the National War College staff. I was unable to accept this appointment because of my duties with the Department of State.

Just before the San Francisco Conference in 1945 the then Solicitor General, Mr. Charles Fahy, and I served, together with Mr. Green Hackworth, as members of a committee of jurists who prepared a preliminary draft of the statute of the International Court of Justice. I then served with the United States Delegation to the United Nations Conference at San Francisco as an assistant on judicial organization, and thereafter continued as a consultant to the Department of State. In 1947 I was appointed as the United States member of a UN committee on the codification and development of international law.

On January 3, 1948, I was appointed deputy United States representative on the Interim Committee of the General Assembly of the United Nations. On April 14, 1948, my appointment as United States representative to the second special session of the United Nations General Assembly was confirmed by the United States Senate. On June 1, 1948, the Senate confirmed my appointment as deputy United States representative in the United Nations Security Council. On March 1, 1949, my appointments as United States Ambassador at Large and also as United States representative to the third regular session of the General Assembly were confirmed by the Senate, and last September 26 I was again confirmed by the Senate as a United States representative to the fourth regular session of the General Assembly.

So much for the record of my career. It does not read like the record of a Communist, a pro-Communist or a fellow traveler.

At the beginning of my statement I said that the insinuations which had been leveled against me had the effect of impairing the confidence

of other government in the United States and its representatives. I made that statement because it would be impossible to reconcile the actions I have taken both in the course of my recent trip to Asia and in the course of the last 2 years with the Department of State with "an unusual affinity for Communist causes." I shall submit to the committee for insertion in the record, a collection of extracts from statements which I have made on the subject of communism. Merely by way of illustration I would like to read from a statement which I made in the Political Committee of the General Assembly last December in the debate on China, and I was speaking, sir, to the chairman of the committee. There I said:

* * * I hope, Mr. Chairman, it will be crystal clear that the United States policy is against imperialism everywhere. We flatly reject it for ourselves and we condemn it when practiced by any other state. We condemn it specifically as revealed in the Soviet-Russian continuation of Tsarist-Russian Imperialism in the Far East. Our concern is that China, India, and all Asia be safeguarded against Soviet Russia or any other aggression.

That is the end of the quotation.

I believe that I should be judged not merely by what I have said but also by what I have done. I have already indicated that I have had the honor of representing the United States in the Security Council of the United Nations, in the Interim Committee of the General Assembly of the United Nations, and in one special and two regular sessions of the General Assembly. The proceedings of these bodies are public and their records are published.

I shall submit, sir, for insertion in the record, official authenticated copies of sections of the proceedings of the organs of the United Nations in which I acted; and also, copies of statements which I have made to the press, and over the radio in the course of my Asian trips. I have these here for insertion.

Senator TYDINGS. They will be inserted in the record at this point, and I am not sure that you want the whole records, or just sections of it that are pertinent, or that pertain to you?

Ambassador JESSUP. I am quite content, sir, merely to have inserted in the record the excerpts which will be marked as showing particular passages in my statements dealing with the questions of international communism.

Senator TYDINGS. Those excerpts will be inserted in the record at this point, and should the committee desire, the whole record will be available for further examination.

(The matter referred to is as follows:)

EXHIBIT 2—JESSUP

STATEMENTS BY AMBASSADOR JESSUP ON THE SUBJECT OF COMMUNISM

- (1) Excerpts from statement to the Security Council on October 4, 1948.
- (2) Excerpts from a statement to the Security Council on October 19, 1948.
- (3) Excerpts from a statement to the Security Council on October 25, 1948.
- (4) Excerpts from statement to the Security Council on January 11, 1949.
- (5) Excerpts from a speech on February 18, 1949.
- (6) Excerpt from a speech on March 12, 1949.
- (7) Excerpts from a speech on April 7, 1949.
- (8) Excerpts from a speech on August 24, 1949.
- (9) Excerpts from a speech on September 6, 1949.
- (10) Excerpts from statement in Committee I of the General Assembly on November 28, 1949.
- (11) Excerpts from a speech to the English Speaking Union on November 28, 1949.

- (12) Excerpt from statement to Committee I of the General Assembly, on December 6, 1949.
- (13) Text of statement to the General Assembly on December 7, 1949.
- (14) Excerpts from statement to the press, Hong Kong, January 18, 1950.
- (15) Excerpts from a broadcast over Radio Malaya, on February 6, 1950.
- (16) Excerpts from speech over Radio Thailand on February 17, 1950.
- (17) Excerpts from statement to the New Delhi press on February 23, 1950.
- (18) Statement to the Security Council on October 6, 1948.

EXCERPT FROM STATEMENT BY AMBASSADOR JESSUP IN THE SECURITY COUNCIL OF THE UN ON OCTOBER 4, 1948

The source of this speech can be found in the official records of the Security Council, three-hundred-and-sixty-first meeting, October 4, 1948 [No. 113], at pages 24-26.

The Government of the United States believes in the purposes set forth in article 1 of the Charter and in the principles stated in article 2 of the Charter. It is because we believe in these purposes and principles that we have joined in referring this case to the Security Council. The representative of the U. S. S. R. made a number of references to the desirability of respecting signatures to international agreements. I would like to point out that the Charter of the United Nations is an international agreement and that it bears the signature of the U. S. S. R.

In accordance with our obligations under article 33 of that Charter, the Government of the United States, in agreement with the Governments of France and the United Kingdom has made every effort to remove the threat to the peace created by the U. S. S. R., through direct discussions with the Government of the Soviet Union. The systematic periodic evasion and repudiation of the promises by that Government has made further recourse to these direct discussions futile. Meanwhile, the U. S. S. R. continues, in violation of its obligations under the Charter, to apply force or the threat of force against the Governments of the United States, France, and the United Kingdom.

The representative of the Soviet Union has intimated, as his Government has already alleged, that the illegal U. S. S. R. blockade measures were imposed in retaliation for the lawful steps relating to currency taken by the Western Powers in the western zones but, as I shall explain later to the Security Council when we come to the substance of the question, the U. S. S. R. measures and the motive behind them were revealed some months before the currency measures of the Western Powers were put into effect.

Any such argument on the part of the U. S. S. R. will not succeed in obscuring the actual situation which confronted the Governments of the United States, France, and the United Kingdom and to which I have just referred. Faced with that situation, the three Governments were confronted with the following alternatives. One, they could have supinely bowed to the U. S. S. R. use of force; or two, they could in turn have resorted to force to meet the force of the U. S. S. R.; or three, they could have recognized the fact stated in article 24 of the Charter that the Security Council has "primary responsibility for the maintenance of international peace and security" * * * * *.

The Governments of the United States, France, and the United Kingdom chose that third alternative. It was the only alternative consistent with the obligations of a member of the United Nations. It was a recognition of the conviction of the three Governments that the United Nations is and will remain the cornerstone on which the structure of peace must be built.

The Government of the U. S. S. R. has been loud in its protestations of support for the United Nations. If these protestations had been sincere they would have welcomed an opportunity to invoke the assistance of the Security Council in bringing about a termination of the present serious situation in order that all questions and issues between them and the Governments of the United States, France, and the United Kingdom might be solved by peaceful means. The Government of the U. S. S. R. has not taken that course. It repudiates the machinery of peaceful settlement established by the United Nations. The U. S. S. R. denies that the United Nations is an organ to which the peoples of the world can turn for help in maintaining international peace and security.

Again, at this point, I would like to the representative of the U. S. S. R. the great Latin maxim to which he has referred, *pacta servanda sunt*. The U. S. S. R., in repudiating the machinery of peaceful settlement, and repudiating its obligations under the Charter, is trying to secure for itself unilateral freedom to resort to force. It is evidently unwilling to have the Security Council

and the public opinion of the world examine the record in this case. The Government of the United States, acting in accord with the Governments of France and the United Kingdom, is, on the other hand, ready and willing to have this Council of this great world organization examine the records and make its contribution to the maintenance of international peace and security.

If the U. S. S. R. wants peace, let it welcome a resort to the United Nations, the instrument of peace. If the U. S. S. R. intends to support the United Nations, let it accept the established procedures of the United Nations. We, for our part, do intend to support the United Nations, and we are therefore invoking it after the resort to direct discussion with the U. S. S. R. has failed to remove the threat to peace, resorting to it in the hope that the Security Council, in discharge of its responsibilities under the Charter, can make its contribution where other means have failed.

EXCERPT FROM STATEMENT BY AMBASSADOR JESSUP IN THE SECURITY COUNCIL OF THE UN ON OCTOBER 19, 1948, CONCERNING THE BERLIN QUESTION

[Source: Official records of the Security Council, three hundred and sixty-eighth meeting (No. 118), pp. 61-62]

There is an aspect of the blockade measures which I particularly wish to re-emphasize to the members of the Council. As I pointed out before, under a series of international agreements, the four occupying powers undertook responsibilities for the population of the sectors of Berlin committed to their charge. The blockade is a method used by the U. S. S. R. for the expansion of its power in utter disregard of these joint responsibilities and with a callous indifference to the effect of their measures on the population of the western sectors.

I would also remind the Council that it was not until a month after the blockade was imposed that the U. S. S. R. made its offer to supply food and coal to the western sectors. It was thus clear that it originally contemplated putting this pressure on the population, in an attempt to break their spirit and it was only after the success of the airlift was demonstrated that an attempt was made to counter the airlift with an offer of Soviet supplies.

This is the blockade which Mr. Vishinsky says is entirely mythical.

His contention that there is no blockade has been amply disproved by the facts. The Soviet interpretation will, in any event, be somewhat disputed by the 2½ million people who are the direct object of Soviet power politics, who are faced with a choice between accepting the real and potential hardships of the blockade or accepting Soviet political food and political coal and, hence, Soviet and Communist political domination. Their choice has been clear and unmistakable from the beginning. They have chosen hardship and freedom. This is a hopeful sign for the future peace and security of Europe, for the sake of which the four powers undertook the occupation of Germany. Let us not forget that at Potsdam it was declared that:

"The Allies will take in agreement together, now and in the future, the other measures necessary to assure that Germany never again will threaten her neighbors or the peace of the world. It is not the intention of the Allies to destroy or enslave the German people. It is the intention of the Allies that the German people be given the opportunity to prepare for the eventual reconstruction of their life on a democratic and peaceful basis."

That was agreed at Potsdam. The Government of the Soviet Union, using the harsh instrument of the blockade, has indeed chosen a strange way in Berlin to live up to its agreement to democratize German political life. Thanks to the airbridge and to the support given to it by the Berliners, the Government of the Soviet Union has not succeeded in its purpose.

EXCERPT FROM STATEMENT BY AMBASSADOR JESSUP IN THE SECURITY COUNCIL OF THE UN ON OCTOBER 25, 1948, CONCERNING THE BERLIN QUESTION

[Source: Official records of the Security Council, three hundred and seventy-second meeting (No. 120), pp. 11-18]

I have listened in vain, as he was speaking, for any suggestion in his remarks that he too, like the representatives of the three western Governments, was approaching this draft resolution in a spirit of accommodation, in an effort to settle the problem of Berlin. On the contrary, he flatfootedly asserted that they

would continue the threat of their blockade measures until the mark of the Soviet Zone was established as the sole currency, not by free agreement but under Soviet dictation.

The main issues which are before the Security Council have been made very clear in our proceedings. A resolution, which was eminently fair, has been put before us through the efforts of the six Governments which led to its formulation. It seems to me that we must now ask what the Soviet Union wants.

Does the Soviet Union want a meeting of the Council of Foreign Ministers to discuss Berlin, or the unification of Germany which has always been, and still is, the aim of the three western Governments, or to discuss the questions of Germany as a whole? The U. S. S. R. Government can have such a meeting without the threat of force. We have told them that before. We repeat that promise. We have indicated our acceptance of the principle in our approval of the draft resolution which is before us.

Does the Soviet Union want the Soviet zone mark established as the sole currency in Berlin under four-power control, as Premier Stalin himself suggested? They can have that without maintaining a blockade. We have told them so before, and we tell them so again.

Does the Soviet Union want assurance that we do not want to use the four-power control of the currency in Berlin to control the general economy of the Soviet zone outside Berlin? They can have such assurance without threat or violence. We have made that clear before. We make it clear again.

Does the Soviet Union want guarantees to prevent the use of transport facilities for black-market operations in currency in Berlin? They can have such guarantees without resorting to duress. Again, it is a matter which we have told them before we would do, and we are ready to say so again. If the U. S. S. R. Government will remove all the restrictions imposed on transportation, communications and commerce, subsequent to March 30, 1948, between the western zones and Berlin, the United States Government will undertake to provide the safeguards for the western mark B and the eastern mark of the Soviet zone and presented by the United States representative during the course of the Berlin discussions.

As I understood the representative of the Soviet Union in his remarks a few moments ago, he argued that the blockade measures which have been imposed by the U. S. S. R. were imposed to protect the economy of the Soviet zone against the western mark. However, as I have had occasion to point out to the Security Council before (three hundred sixty-third meeting), the blockade measures began in January, reached a focal point on March 30, and the western mark was not introduced until June 24. I think it necessary to point out again that the matter or restrictions on traffic has nothing to do with the question of safeguards to prevent movements of currency. The removal of the blockade restrictions imposed upon land and water communications by the U. S. S. R. would restore the normal channels of supply and transport which are now confined to the airlift. In effect, this would merely substitute the normal ground means of transport for the present air means.

The United States never intended to use currency as a means of adversely affecting the economy of the Soviet zone. The objective of currency reform is to improve economic life and not to destroy it. If, on the other hand, the Soviet Union wants to drive us out of Berlin—where we have an acknowledged right to be—that result they cannot get by maintaining their threat to the peace. We have stated that position over and over again, and that simple fact should now be clear. If the U. S. S. R. wants us to work out the technical details of the first four questions I put, under the duress of the maintenance of the blockade measures, instead of through the process of free negotiation, again the answer to the question is "No." In short, the Government of the Soviet Union can obtain all it says that it wants without maintaining the blockade. With the blockade, it can get neither what it says it wants nor what its actions seem to suggest it actually does want. It is the blockade which is the barrier, and it is the U. S. S. R. which can lift the blockade.

Even now, despite the fact that the Soviet Union has seen fit to indicate that it intends to block the efforts of the Security Council of the United Nations, if it wishes to end the threat to the peace which it created, the Berlin question can be settled on the basis of the program suggested in the draft resolution which is now before the Security Council. The three western Governments have indicated their acceptance of the principles contained in that resolution. If the Government of the U. S. S. R. would give reciprocal assurances that that program suggested in that resolution would be carried out, it can be done.

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EXCERPT FROM STATEMENT BY AMBASSADOR JESUP IN THE SECURITY COUNCIL ON JANUARY 11, 1940

(Source: Official records of the Security Council, three-hundred-and-ninety-eighth meeting (No. 2), pp. 9-10)

When this question of Indonesia was being discussed in the Security Council in Paris, the Soviet Union, speaking both through its own representative and through the representative of the Ukrainian Soviet Socialist Republic, followed its familiar procedure of endeavoring to cloak its own improper actions by seeking to place the blame on someone else. The representative of the U. S. S. R. (three hundred and ninety-first meeting) and the representative of the Ukrainian SSR (three hundred ninety-third meeting) both insinuated that the Government of the United States was in some way responsible for the action of the Netherlands in resorting to hostilities against the Indonesian Republic. It thus becomes necessary to point out again certain salient facts.

In the first place, it was the Government of the United States which took the initiative in convening an urgent meeting of the Security Council when it became apparent that the Netherlands was resorting to military action in Indonesia (8/1128). It was the Government of the U. S. S. R. which endeavored to prevent the Security Council from acting promptly by insisting that the Council meeting should be deferred for 3 days. Every other member of the Council attended the three hundred eighty-seventh meeting on December 20 except the two Soviet representatives.

The United States also took the initiative, in conjunction with the representatives of Colombia and Syria, in proposing a resolution (8/1142) to the Security Council to deal with the situation, but the U. S. S. R. representative refused to support this resolution (three hundred ninety-second meeting). He later tried to cover up this further attempt to block Security Council action by introducing a resolution of his own (8/1148 and 8/1148/Corr. 1) which he knew could not be adopted by the Council. More fundamental, however, than these obstructionist tactics in the Security Council, is the fact that the U. S. S. R. is fundamentally opposed to the Government of the Republic of Indonesia and has itself, through the Communist Party, which is, of course, its mouthpiece throughout the world, sought to undermine and overthrow this Government.

No one doubts that the Communists in Indonesia like the Communists throughout the world are responsive to and act in accordance with instructions from Moscow. The Communist revolt against the government of President Soekarno and Premier Hatta was itself an effort on the part of the Government of the U. S. S. R. to overthrow the Indonesian Republic. Furthermore, when the resumption of hostilities by the Netherlands Government against the Indonesian Republic took place, the official Communist Party line, as printed in the Communist press, instead of deplored this action, openly glorified that it was a punishment for the government of President Soekarno and Premier Hatta, which had successfully put down a Communist revolt.

The Communist line which, I repeat once more, means the line of the Soviet Government, accused that distinguished statesman of the Indonesian Republic, Mr. Hatta, of being a traitor to his country. At the very time when editorials were appearing to this effect in the Communist Party organs in Paris, the U. S. S. R. representative on the Security Council sought to cover up the actual policy of his Government by identifying himself with the Council's endeavors to secure the release of Mr. Hatta and other political prisoners (ninety-second meeting).

These are the facts, which are on the record and known to the world, and which reveal that the Government of the U. S. S. R. is not interested in supporting the Government of the Indonesian Republic or in restoring peace to Indonesia. On the contrary, it is following its familiar tactics which it has used in Korea, in Greece, in Berlin, and again, now, in Indonesia, and which have been described in the speeches of many representatives at the last session of the General Assembly—namely, seeking to overthrow a lawful democratic government and to undermine its authority. But the U. S. S. R. does not want an independent Indonesia; it wants an Indonesia under the domination and control of a Communist minority taking its orders from Moscow. Anywhere in the world when a Communist government climbs in through the window, independence is kicked out of the door.

The Government of the United States, on the contrary, has viewed with admiration the efforts of the Indonesian people, both in the Republic and elsewhere, to gain their independence, and it has steadfastly sought to support them.

The Government of the United States still takes that position, and it is for this reason that it has taken the lead in endeavoring in the Security Council and in the Committee of Good Offices to bring about a peaceful adjustment of the difficulties between the Indonesian Republic and the Netherlands Government, and to establish the United States of Indonesia as one of the fully sovereign and independent peoples of the world.

EXCERPTS FROM SPEECH BY AMBASSADOR JESSUP, FEBRUARY 18, 1949

[Source: Press release No. 850 of the United States delegation to the United Nations, dated February 18, 1949]

ANNEX 8

EXCERPTS FROM SPEECH BEFORE NATIONAL FARM INSTITUTE, FEBRUARY 18, 1949

The North Atlantic Pact does not by-pass the United Nations. It is not a substitute for the United Nations. It will not weaken the United Nations.

If we did not intend to work through the United Nations we could boycott the Interim Committee or "Little Assembly." The Soviet Union has boycotted it.

If we did not intend to work through the United Nations we could have acted alone in Korea. Instead we took the matter to the United Nations, helped a United Nations Commission supervise elections in our zone and recognized the Korean Government only after the United Nations General Assembly had adopted a resolution which acknowledged that this was a proper thing to do. The Soviet Union would not let the Ukraine accept a place on the Korean Commission. It would not let the Commission operate in the Soviet-occupation zone. It supports a puppet Government in the northern part of Korea. Three days ago in the Security Council, the Soviet representative was repeating all their old arguments about Korea, in total disregard of the resolutions adopted by the General Assembly.

If we did not intend to work through the United Nations, we would not have taken the Berlin case to the Security Council. The Soviet Union refused to admit that the United Nations or any organ of it could deal with the case. When the Security Council discussed the question, Vishinsky sat in sulky silence. When the Security Council voted, Vishinsky vetoed.

We, the United States cooperate in all the 13 specialized agencies of the United Nations. The Soviet Union joined only three of them; and this week, I regret to say, the Soviet Union withdrew from one of those three—the World Health Organization.

Look at the records of United Nations meetings—General Assembly, Security Council, Economic and Social Council, Trusteeship Council, Commissions and Committees—dealing with atomic energy, disarmament, the struggle for human rights, the struggle for peace in Indonesia, for peace in Palestine, for peace in Kashmir, for peace in the Balkans, and many other subjects, and you will find the proofs of United States cooperation in the work of the United Nations. The record is long, our record is good. No American need be ashamed of the record. Every American should be proud of it.

* * * I do not hesitate to say that the attitude of the Soviet Union is making it more difficult for the United Nations to do its job. The U. S. S. R. has not yet begun to cooperate with the United Nations. Behind its iron curtain it is manufacturing fear. Out in the open we along with 51 other countries are building peace. Make no mistake about it, we are going to win. But it is not going to be an easy job or a short one. Peace is not merely the end of a war. Peace has to be made and it also has to be kept. Nobody in the democratic world can ever be unemployed if he or she works for peace. You can work on it full time or part time—as a Government official or as a citizen. But we can't just sit around under a tree and expect peace to drop in our lap like a ripe piece of fruit.

One result of the Soviet attitude and policy has been to create and maintain a state of tension. That state of tension is, of course, greatest in those parts of the world which are closest to the Soviet Union and the Red Army. It is an incontestable and striking fact that in the United Nations General Assembly in Paris, the other countries of the world distrusted Soviet armaments and took comfort in American armaments. In the votes on resolutions dealing with atomic energy and disarmament they showed that this is the way they feel. We

deserve that confidence because we have no aggressive intent. We must and we shall continue to deserve it. * * *

* * * What we have done and are doing is to join in a process of bringing the nations of the world closer together—in the United Nations itself and in groups of states which have common interests. So long as the smaller groups operate within the United Nations, inspired by its purposes and principles, we are moving forward. I don't believe any of us here want to move in any other direction. We may disagree among ourselves from time to time on the best road to take—Thank God we live in a country where we are free to disagree—but I think we will always agree on the objective which is peace and freedom.

In seeking that objective we will cooperate with every other country which is willing to act in accordance with the purposes and principles of the United Nations. That includes the Soviet Union. We do not want any country to underestimate the seriousness with which we intend to support the peace system for which the United Nations stands. That, too, includes the Soviet Union.

"The primary purpose of these agreements," said President Truman, referring to the Rio and North Atlantic Pacts, "is to provide unmistakable proof of the joint determination of the free countries to resist armed attack from any quarter. Each country participating in these arrangements must contribute all it can to the common defense."

"If we can make it sufficiently clear, in advance, that any armed attack affecting our national security would be met with overwhelming force, the armed attack might never occur."

It would also be a great mistake for the Soviet Union or any other country to think that we are hoeling a lone row. We are using modern machinery to harvest the biggest crop in the world and there are more than 50 nations helping us. Any other country that wishes to join in the job is welcome. If they join with the rest of us, they will have the same satisfaction in looking in their pay envelopes and finding each week, each month, each year that peace pays and that it pays to work for it.

EXCERPT FROM SPEECH BY AMBASSADOR JESSUP ON MARCH 12, 1949

[Source: Press release No. 570 of the United States Mission to the United Nations, dated March 11, 1949]

EXCERPT FROM SPEECH BEFORE THE AMERICAN ASSOCIATION FOR THE UNITED NATIONS, MARCH 12, 1949

Although the issues as they presented themselves to the two assemblies were not precisely comparable, of course, the striking isolation of the negative six votes of the Soviet bloc on issue after issue was clearly apparent. This development was taken to mean different things by various observers. One implication of this polarization, I believe, was that the major cleavage could no longer be looked upon merely as a conflict between the Soviet Union and the United States, nor as a conflict between the east and the west. It had become a cleavage between the Soviet bloc and the rest of the United Nations.

This cleavage represents a victory for no one. The interests of the United States are better served by a truly United Nations, than by one in which a dangerous chasm isolates an important part of the world. It was not our purpose to create this isolation, even for an illusory short-range tactical advantage; it was rather the inflexible and uncooperative character of the Soviet attitudes toward such issues as disarmament and the control of atomic energy which drove the wedge between the Soviet Union and the majority of the United Nations.

And those of you who were at Paris will recall that it was no "mechanical majority," as it has sometimes been called in propaganda. It is much more accurate to speak of a "mechanical minority." Within the majority, the democratic processes of accommodation, compromise, give-and-take, were operative. Perhaps it could with more justice be said that the United States underfilled its responsibilities of leadership than that it exercised an unduly dominant influence. However, I venture to assert that the action of the United States Delegation at the Paris Assembly fully recognized the responsibilities which rest upon this country.

In time, one may hope that the Soviet Union, influenced by this example of the successful accommodation of a variety of interests and viewpoints within the majority group, will come to appreciate more highly the mutual advantage of wholehearted participation in the work and deliberations of the United Nations. But in the meantime, this crystallization has had the effect of demonstrating that even under present adverse circumstances the United Nations can perform essential functions.

EXCERPTS FROM A SPEECH BY AMBASSADOR JESSUP ON APRIL 7, 1940

[Source: Department of State press release No. 221, April 5, 1940]

EXCERPTS FROM "THE ATLANTIC COMMUNITY AND THE UNITED NATIONS," ADDRESS DELIVERED BY AMBASSADOR JESSUP BEFORE THE ACADEMY OF POLITICAL SCIENCE, NEW YORK, APRIL 7, 1940

"For the very reason that the North Atlantic Treaty is subject to and in accordance with the Charter of the United Nations, it cannot constitute a threat to any other state whose policies and actions are also in conformity with the subject to that same Charter.

"It would be less than frank, however, to avoid stating the fact that the conclusion of this treaty has resulted from the fears which the policy of the Soviet Union has created.

"It is impossible to overlook the fundamental cleavage in the basic theory of the Soviet Union on the one hand and of the United States on the other. The Soviet Union officially stands on the proposition that war is inevitable.

"The Soviet Union is officially committed to a philosophy of conflict, which is alien to our thinking and to our ideals. Premier Stalin likes to quote the following passage from Lenin:

"We live * * * not only in a state but in a system of states, and the existence of the Soviet Republic side by side with the imperialist states for a long time is unthinkable. In the end either one or the other will conquer. And until that end comes, a series of the most terrible collisions between the Soviet Republic and the bourgeois states is inevitable."

"We also believe that we live in a system of states, but from this premise is drawn the opposite conclusion. Our conclusion is that it is unthinkable that the members of that system of states should not be able to find ways to live in peace with each other."

EXCERPTS FROM A SPEECH BY AMBASSADOR JESSUP ON AUGUST 24, 1940

[Source: Department of State press release No. 648, August 28, 1940]

EXCERPTS FROM "THE FOREIGN POLICY OF A FREE DEMOCRACY"—ADDRESS MADE BY AMBASSADOR JESSUP AT THE GOLDEN JUBILEE NATIONAL CONVENTION OF VETERANS OF FOREIGN WARS, MIAMI, AUGUST 24, 1940

"* * * Unlike the Soviet Union, we do not want more territory or subject peoples."

"* * * The Soviet Union refuses to cooperate in improving the welfare of mankind and in insuring international peace and security."

"This opposition is not only obstructive but aggressively so. It not only is a challenge to the beliefs and aspirations of the free peoples but also a threat to their security and welfare. It is a challenge that must be taken up, a threat that must be countered. There is no room for hysteria. There is need for calm determination.

"Let us frankly acknowledge that many of the actions and much of the effort of the United States in international affairs in recent months have been directed toward countering the clear threat to ourselves and other free peoples. We could not have done otherwise without betraying all that we stand for."

"The United States has never been afraid to face the future. Times of peace and prosperity as well as those of danger and distress need forethought. If we did not plan ahead for peace, we would be less likely to reach the goal and less likely to retain the gains when they are made. It is Communist, and not American doctrine, that enmity and war are inevitable.

"Consistent with our faith and with our word pledged through the ratification of the United Nations Charter, we have cooperated in the efforts of the United Nations to work toward disarmament. Little progress has yet been made because the Soviet Union has refused to accept the conclusions of the majority in the Commission for Conventional Armaments regarding the essential features of an effective plan of regulation. The Soviet Union tried to shift the blame for this lack of progress, but the other members recognized their proposals as a mere propaganda maneuver and rejected them."

"One of the plain facts in the present situation is that the Soviet Union is contemptuous of weakness but respects strength. It was the strength of the west which led the Soviet Union to abandon the Berlin blockade and to make at least some moves toward agreement in the recent meeting of the Council of Foreign Ministers in Paris. Our strength is made up of unity with the free peoples of the world; of industrial power; of military power; and of calm confidence in the soundness of our domestic system and our peaceful foreign policy.

"We had revealed that strength in several ways. There was the Berlin airlift. That great operation saved the people of Berlin from the starvation with which the Berlin blockade threatened them. I want to pay tribute to the men who organized it and operated it.

"Then there was the steady progress toward the organization of a Western German Government. Here the basic unity of purpose and of policy between France, the United Kingdom, and the United States was a most potent factor. That is a unity we must preserve, strengthen, and extend.

"We have other friends and allies for peace in all parts of the world. We are closely bound to our good neighbors south of the Rio Grande and have formalized that unity in the defensive pact of Rio de Janeiro, which was concluded within the framework of the United Nations Charter. We have similarly concluded the North Atlantic Treaty with eleven nations who form the North Atlantic community, again acting in conformity with the Charter. We are working closely with other members of the United Nations for our mutual benefit and strength to promote the common purpose of maintaining peace and the good life.

"These close associations are not and cannot be the result of domination and dictation. The Soviet Union believes in that method as did Hitler. We do not believe in it. There are always differences of opinion between the closest of friends. Those differences can be resolved by mutual understanding and accommodation because the common purpose is basic. When the Soviet Union comes to realize the soundness of that common purpose and the method of achieving it we stand ready to work equally with them. It must not be forgotten that we are as friendly to the Russian people as to other people. We are not trying to conquer Russia. We are not rivals for the domination of the world because we do not want to dominate the world. If their government will abandon the dream of world domination which throughout history has destroyed such blind dreamers, a full share in international cooperation will be theirs.

"The menace of aggressive Communism to the liberties and rights of free peoples is the immediate and pressing problem that must be overcome. We are confident that the concerted effort of the free nations will succeed in overcoming it. But we are well aware that this is not the only problem, nor in the long perspective of history perhaps, the most significant. We will not hesitate to do what is necessary to help the free nations preserve their independence and integrity."

EXCERPTS FROM A SPEECH BY AMBASSADOR JESSUP ON SEPTEMBER 6, 1940

[Source : Department of State press release No. 674, September 6, 1940]

EXCERPTS FROM "THE CONQUERING MARCH OF AN IDEA," ADDRESS DELIVERED BY AMBASSADOR JESSUP TO THE AMERICAN BAR ASSOCIATION, ST. LOUIS, SEPTEMBER 6, 1940

"A very large part of international affairs and thus of the process of international accommodation concerns the relations between legal persons known as states. This is necessarily so. But it is no longer novel for the particular interest of the individual human being to break through the mass of interstate relationships."

"The Communists pervert the process by seeking to subvert governments, alleging an interest in the common man whom they blatantly ignore when they succeed in imposing the power of their small elite governing class."

"On the other hand, in countries shrouded by an iron curtain, or we may well say curtained by an iron shroud, it is not news that an individual is deprived of life or liberty, is imprisoned and tortured. This is not novel; it is normal to their unhappy way of life. In that way of life the individual is nothing; the state, embodied in a small ruling clique, is everything. Even if an atrocity were news in our sense of the term, it could not be printed in those countries because there is no free press. These denials of the inherent rights of the human being reach the press only when they pierce the veil and reach the free world outside."

EXCERPTS FROM STATEMENT BY AMBASSADOR JESSUP IN COMMITTEE ONE ON NOVEMBER 28, 1949, CONCERNING CHINA.

[Source: United States Delegation press release No. 707; November 27, 1949]

EXCERPTS FROM STATEMENT IN THE POLITICAL COMMITTEE OF THE GENERAL ASSEMBLY, NOVEMBER 28, 1949, SUBJECT: CHINA

A charge by one member of the United Nations that another member is violating both a treaty and the Charter of the United Nations is a matter of serious concern to us all. This is particularly true in the present case because the alleged violation includes the charge of assisting in attempting the violent overthrow of a recognized government; and, most of all, because both China and the Soviet Union, as permanent members of the Security Council, are pledged to fulfill special responsibilities in maintaining international peace and security.

A due regard for the normal deliberative processes of the United Nations as well as for the opinion of the world community would have dictated that the member against which the charges have been leveled should make some response to them and should place its side of the case before this committee. We regret that it has not seen fit to do so and that the Soviet delegation and also the delegations of other eastern European states have refused to participate in the consideration of this case.

Equally serious although not equally well documented charges were made in this Assembly by the U. S. S. R. against the United States and United Kingdom in the discussion of the resolution on the essentials of peace just concluded in this committee. Both my delegation and that of the United Kingdom not only voted in favor of placing that item on the agenda for discussion and hearing but took their full part in the debate in answering the charges of the Soviet Union. In this we were fulfilling our duty to the United Nations in helping to make the Assembly, as Secretary of State Acheson in his opening speech in the Assembly urged that it should be, "a forum in which the international public interest can be fully expressed" through the participation of all members. Had we not done so—had we adopted the Soviet tactics and refused to participate—it is not difficult to imagine the inferences which the Soviet delegation would have drawn as to the truth of those charges made against us.

Unfortunately, the members of the United Nations must recall previous instances in which the Soviet Union adopted the same procedure of refusing to participate when an item which it regarded as unpleasant or disagreeable to it was brought up for consideration.

The United States cannot but deplore this selective participation in the work of the United Nations. Such an attitude seems the more regrettable when viewed in the light of the overwhelming judgment of this committee given only last Friday that one of "the essentials of peace" is full participation in this Organization, a judgment expressed by the terms of the resolution in a specific call upon "every member to participate fully in the work of the United Nations." The Soviet delegation, it will be recalled, explained its vote of abstention on this provision on the ground that it was already binding upon all members by the terms of the Charter.

During the past few weeks this Committee has been engaged in a sobering discussion of what constitutes the essentials of peace. Although the debate was initiated by the Soviet Union through an attack upon the western powers, the discussion soon became focused, as every consideration of the requirements of peace necessarily must, on the foreign policies and measures of the Soviet Union itself. In that debate the representatives of countries from all areas of the world, including one courageous example from eastern Europe itself, voiced the same basic concern and urged the same basic solution—the concern arising from

what the distinguished delegate of Brazil termed the "unbridled imperialistic encroachments" of the Soviet Union, and the solution to be found in the fulfillment in good faith of the pledges and principles of the Charter.

The general charges made against the policies and activities of the U. S. S. R. in that debate find a further specific application in the complaint which the Chinese delegation has now laid before us. Although these charges focus upon one geographic area, the fundamental problem is the same. It is a problem of maintaining an independent, unified, and free country against what are charged to be aggressive encroachments of a foreign power.

* * * * *

At the time of the Russian occupation of Manchuria at the turn of the present century, the United States, in a note sent to the Russians and to other interested governments, exerted its influence to maintain "China's territorial and administrative entity." Shortly thereafter Russian pressure for a privileged position in Manchuria brought a similar response from my Government. In the succeeding years in the clashes between competing Russian and Japanese imperialisms in north China, the United States sought repeatedly to establish respect for China's integrity as the standard of conduct in the relations of these and all other countries with China.

* * * * *

United States aid to China during the last war and United States efforts in the postwar period, to bring about internal peace and to end the civil war, are well known. So, too, is United States insistence over Soviet objection that China be included as one of the great powers in the prosecution of the war and the organization of peace—leading to her role as one of the sponsoring powers of the United Nations at San Francisco, and one of the permanent members of the Security Council.

The continuing concern of my Government for the independence of China was recently reflected in an official statement issued August 5, calling attention to dangers of Soviet Russian imperialism in the Far East, reaffirming the basic principles which have traditionally guided United States policy and emphasizing the opposition of the United States to the "subjection of China to any foreign power" and to its "dismemberment by any foreign power, whether by open or clandestine means."

* * * * *

The evidence presented by the representative of China, and other reports that have come to the attention of my Government, raise most serious questions as to whether certain provisions of the Yalta agreement have in fact been carried out properly and in good faith by the Soviet Union during the last 4 years. Three months ago my Government officially called attention to the fact that Soviet Russian demands upon the Chinese Government in connection with the negotiation of the Sino-Soviet Treaty of 1945 exceeded the provisions of the Yalta agreement. Some of the evidence and of the reports create grave cause for concern that groundwork is in fact once again being laid for a further Russian attempt to dismember China.

* * * * *

The United Nations must be alert to see that the domination of China by one totalitarian power has not been displaced only to make way for the subjugation of that country to any other imperialism. The common efforts of the United Nations in rescuing China and Japan from the grasp of imperialist and militarist power must not be nullified by acquiescence in new imperialist conquest by more subtle devices than outright war.

EXCERPTS FROM SPEECH BY AMBASSADOR JESSUP, NOVEMBER 28, 1940

[Source: Press release No. 758 of the United States Delegation to the General Assembly, dated November 28, 1940]

EXCERPT FROM REMARKS OF AMBASSADOR JESSUP BEFORE THE ANNUAL DINNER OF THE ENGLISH-SPEAKING UNION, HOTEL WALDORF-ASTORIA, NEW YORK, NOVEMBER 29, 1940

"Because Soviet Russia has embarked upon the new international Communist imperialism, there is a tendency among cynics today to say that while we have fought and won a war the victory has availed us nothing. It is the common

phrase that we are 'losing the peace.' Our freedom is not yet secure. But had we not won the war we would not be in a position today to carry on our fight to make freedom the common property of all mankind."

EXCERPT FROM STATEMENT BY AMBASSADOR JESSUP IN COMMITTEE ONE OF THE GENERAL ASSEMBLY, ON THE CHINESE SITUATION, DECEMBER 6, 1949

[Source: United States Delegation press release No. 771, December 6, 1949]

* * * I hope, Mr. Chairman, it will be crystal clear that the United States policy is against imperialism everywhere. We flatly reject it for ourselves and we condemn it when practiced by any other state. We condemn it specifically as revealed in the Soviet-Russian continuation of Tsarist-Russian imperialism in the Far East. Our concern is that China, India, and all Asia be safeguarded against Soviet Russia or any other aggression.

We believe that the joint resolution which we have cosponsored, supplemented by the Philippine amendment to the three-power resolution, is the most effective contribution the United Nations at this stage can make toward accomplishing this purpose. Furthermore, Mr. Chairman, we are certain that the adoption of such resolutions on the part of this committee would not be misunderstood by the representatives of the cominform states. It is true that they have remained silent in this committee during the current debate, but they have listened to all our discussions and they must therefore understand without any misunderstanding that the occasion of the joint draft resolution which my delegation has had the honor to cosponsor, is Soviet Russian action in the Far East which raises acute fears for the safety, independent, and integrity of China. Those of us, Mr. Chairman, who share those fears should unite our voices and our acts.

TEXT OF STATEMENT BY AMBASSADOR JESSUP TO THE FOURTH GENERAL ASSEMBLY, PLENARY SESSION, DECEMBER 7, 1949

[Source: United Nations, official records, General Assembly (Plenary, December 9, 1949; A/PV.272) 181-181]

Mr. JESSUP (United States of America). One thing which stood out clearly in the debates in the First Committee on the item which now engages our attention was the strong friendship of the overwhelming majority of nations for China and their concern for its welfare and the welfare of the people of China. Those debates also revealed the determination of the overwhelming majority of the delegations represented, as shown in the adoption of the resolution on the promotion of the stability of international relations in the Far East, to do their part to maintain China's integrity and independence.

In sharp contrast to that attitude of the vast majority of the delegations in the First Committee was the attitude of the delegation of the Soviet Union and of the small group of delegations following its lead. The attitude of those delegations was the direct opposite of that which I have described. That attitude strengthens the justified suspicions of other nations regarding the Soviet policy and intentions toward China. That attitude revealed especially two things: First, a callous disregard for the interests of China and the Chinese people; and secondly, a renewed indication of the most regrettable Soviet unwillingness to co-operate in the work of the United Nations and to carry into effect the principles of our Charter. I think it is appropriate to review the actions of the delegation of the Soviet Union on the item which we are now considering.

The first action which it took was to oppose the placing of this item on the agenda, thus seeking to deprive the General Assembly of an opportunity even to study the matter. The second action, which it has repeated today, was an attempt to deny the right of the duly accredited representative of China to speak in the General Assembly. I think it has been the experience of all of us that the delegation of the Soviet Union is not unaware of the existence of the rules of procedure of the General Assembly. It has, on frequent occasions, invoked those rules.

If it had chosen, on this occasion, to abide by our rules of procedure, it would have found in rule 25 the exact way in which this point might have been raised in a regular fashion. It would have found in rule 25 that:

"Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives, until the

Credentials Committee has reported and the General Assembly has given its decision."

The Soviet Union did not choose to follow the procedure laid down in our rules. In the third place, the Soviet Union has failed to respond to the expressed willingness of the Chinese delegation to refer certain questions involved in this case to the International Court of Justice. In the fourth place, the Soviet Union refused to participate in the debates in the First Committee and, this afternoon, has said that it refuses to participate in the debates in this plenary meeting of the General Assembly.

I claim no special virtue for the policy of my Government, but I cite examples as the normal attitude of most Members of the United Nations. I refer to the question of willingness to discuss items on the agenda.

The Soviet Union placed on the agenda an item containing slanderous attacks upon the United Kingdom and the United States. Those attacks, the charges made therein, were repudiated, after full discussion, by a vote of fifty-three Members of this Assembly. But, in the first instance, when we were asked to consider placing this item on the agenda, our delegation and the delegation of the United Kingdom made no objection to the consideration of the item, because we believe that this is the forum in which charges, no matter how unfounded, should be discussed.

I would also say that my Government has not been afraid to have the record of United States policy in China in recent years examined by the world. The official United States publication telling this story was referred to by Mr. Vyshinsky himself, who stated that its frankness must be admired. If the Soviet Union admires frankness and open discussion of national policies, why does it not practice frankness? Why does it not publish or produce before the General Assembly the text of the Barter Agreement which the representative of China reported that the Soviet Union had concluded with the local authorities in Manchuria, an Agreement under which the Soviet Union sought an arrangement to take away from the people of China the food and other products of Manchuria which are essential to Chinese recovery? Why does it not publish or produce before the General Assembly the text of the reported monopolistic agreement which it has concluded for the exploitation of the resources of Manchuria? Why does it not publish or produce before this Assembly the text of the reported agreement under which it seeks to control, for fifty years, the monopolistic exploitation of the natural resources of Sinkiang? Why does it not publish or lay before us a record of any other such agreements for special rights and privileges which it may now be seeking to obtain or which it has already obtained in China?

If the Soviet Union had not been afraid to publish the facts concerning its policies and practices in the Far East, we could have had a basis on which to decide whether or not we are mistaken in our well-founded conclusions that the Soviet Russian policy in China today is part of a continuous story, a story which began in the days of Tsarist Russian imperialism and which still is characterized by the search for special monopolistic privileges, by encroachments and by attempted dismemberment of China.

Let us look at the votes of the Soviet Union delegation on the resolutions which came before the First Committee. The vote on the resolution to promote the stability of international relations in the Far East is most revealing. When this question was put to the vote, the Polish delegation—which, it is fair to say, more often than not reflects the view of the Soviet Union delegation—called for a separate vote on the title. And let me repeat the title: "to promote the stability of international relations in the Far East". Five negative votes were cast against the title. One can interpret those five negative votes only to mean the opposition of five delegations to stability in the Far East. Perhaps we should not be surprised, for such an attitude is indeed in accordance with their communistic creed of promoting turmoil and unrest. The five negative votes on the rest of the resolution to promote the stability of international relations in the Far East must raise more questions in our minds:

Can it be that the Soviet Union does not intend or wish to respect the political independence of China? Can it be that the Soviet Union does not intend or wish to respect the right of the Chinese people freely to choose their own political institutions or to maintain a government independent of foreign control? Do they not intend or wish to respect their treaties relating to China? Do they not intend or wish to refrain from seeking spheres of influence or the creation of puppet regimes, or from obtaining special monopoly rights in China?

These are the things which are set forth in this resolution which we call upon all States to adopt. These are the principles which are opposed by the Soviet Union delegation, and the four other delegations.

In my opening statement before the First Committee, I said that the failure to endorse this resolution might well be interpreted as indicating an intention to profit by the present situation in China for purposes of imperialist aggrandisement. What other conclusion can the world draw from the five votes cast against these fundamental principles?

Let us look on the affirmative side at the merits of this resolution. The very fact of the Soviet opposition attests indeed to its importance. That opposition is conclusive proof that this resolution is not, as one representative feared in his statement in the First Committee, a mere "song to the moon." The Soviet opposition is proof that the Soviet Union understands perfectly that this resolution, far from condoning the past actions of Soviet Russia in China, is occasioned by those very actions and reflects the acute fears of the international community of this Soviet Russian continuation of Czarist Russian Imperialism in the Far East. This resolution is addressed to the real root of the international problem, to the real concern that the international community has regarding this situation.

The representative of Chile pointed out in the First Committee that the General Assembly is not now dealing with the question of the Justice or Injustice of the civil strife now raging in China. This resolution does not seek to deal with that issue. It does deal in an integral manner with the international aspects of this problem. This resolution is constructive because it is forward-looking. While it does not ignore the past, it does not content itself with a mere sifting of past events. It is a clear statement of the principles to which all nations must adhere at all times.

The second resolution which has been reported to the General Assembly from the First Committee is one in regard to which I do not intend to rehearse the discussions that took place in the Committee. These discussions have already been referred to. It is clear that, in the course of those discussions, certain misunderstandings arose among various delegations.

I have listened with interest to the suggestion just advanced by the representative of Ecuador, proposing, on behalf of the three sponsors of the original resolution, a new amendment which would incorporate a certain additional thought in their joint resolution. While it is true that this amendment does not go the whole way to meet the difficulties to which we called attention in the First Committee, we do feel that it goes part of the way, and we shall accordingly vote for the resolution introduced by Cuba, Ecuador and Peru if this amendment is adopted and incorporated in it.

In my statement before the First Committee, I pointed out that the conscience of the world has expressed itself in the past in multipartite declarations which have played a real part in the history of China's struggle for its integrity. The reality of these declarations has been proved, even though from time to time they have been flouted by aggressors. The enunciation by the Government of the United States in 1900 of the policy of promoting the maintenance of the Independence and Integrity of China served as a restraining influence on the conduct of all the powers in the ensuing years, despite the continuance of unsettled conditions in China. These principles were written into the Nine Power Treaty of 1922, which the representative of China himself stated gave to his country the opportunity for constructive development.

If the nations of the world had not, during the past fifty years, recorded these self-denying ordinances the devouring waves of Russian and Japanese imperialism might well have totally engulfed China. The proper place today for the reaffirmation of these principles is the General Assembly of the United Nations. The vote in the First Committee shows that the conscience of the world will again speak in the interests of China and the people of China.

I wish to point out also that the debate on the item which we are now considering is in reality a continuation of the debate which resulted in the adoption of the resolution on essentials of peace by a vote of 53 Members of the United Nations. The general charges made against the policies and activities of the Soviet Union in that debate find a further specific application in the matter we are now considering. Although our attention is now focussed upon one geographic area, the fundamental problem is unchanged. It is the problem of maintaining an independent, unified and free country against the aggressive encroachments of a foreign power. The resolution on essentials of peace applies to China as well as to all other parts of the world. That resolution and the

resolution which is now before us to promote the stability of international relations in the Far East are closely linked. Together they constitute a code of conduct regarding the Far East. The United States pledges itself to abide by that code of conduct, and it expects all other nations to do likewise.

In joining with other delegations in sponsoring the resolution on the stability of international relations in the Far East the paramount consideration of my delegation and of my Government has been to promote the interests of the people of China. This is not a new policy of the United States. The record shows that this has consistently been our policy. That policy has received only one challenge, and that challenge was made by Mr. Vyshinsky when he was seeking to prevent the General Assembly from discharging its duty to discuss this item which had been placed on the agenda. Mr. Vyshinsky then charged that the proposal of this item was instigated by the United States for imperialistic reasons. It was not instigated by the United States. Moreover, the United States, unlike the Union of Soviet Socialist Republics, has no imperialistic designs on China.

I wonder where are the evidences of United States imperialism in China which Mr. Vyshinsky may have had in mind. Surely they are not monopolistic agreements of the type which the Soviet Union has been concluding in China, for the United States has neither sought nor obtained such rights. I do not hesitate to say that the Chinese people will agree that there is nothing imperialistic in the continuation of our historic policy of aiding Chinese students and scholars by the allocation in recent years of 200 million dollars for the programme of exchanging students and teachers between the United States and China. I do not think that the Chinese people believe that it was a sign of American imperialism to distribute some 400,000 tons of rice and 180,000 tons of wheat and flour in Shanghai and Canton during the past two years. Nor will they maintain that it was American imperialism which led to the supplying of cotton to keep the textile mills of China in operation so that the workers would not be unemployed and so that they would have wages with which to buy food and clothing.

Charges of United States imperialism can hardly be levelled against the joint United States-Chinese rural reconstruction programme, which was launched in 1948 and continued as long as possible in Szechuan and Chekiang, to improve rural living conditions, increase foreign output, and improve the social and educational position of the Chinese farmer. We neither desire nor claim any monopoly in extending help to the people of China; we have not been alone in extending help. But not only in the last year and a half, but on earlier occasions, when the people of China were hungry the people of the United States have sent food. The rice alone which we sent in 1948 and 1949 meant that 10,000,000 Chinese had their rice bowls filled daily during that period. In view of the vast problems of that great population, what we have been able to do has been little enough, but in view of current food shortages in China, I submit that it contrasts favourably with the barter agreement recently concluded by the Soviet Union with local authorities in Manchuria, under which food would be taken from the rice bowls of the Chinese people for shipment to the Soviet Union.

We shall not cease our efforts on behalf of the people of China, nor shall we cease, in the field of international relations and through the United Nations, to work for the real interests of China itself, for its independence and its integrity.

The draft resolution on the promotion of the establishment of international relations in the Far East will unite the peoples of the free world in the promotion of this common objective.

The PRESIDENT. The Chair proposes to close the list of speakers in ten minutes from now.

Mr. Chaudhury, representative of Pakistan, will address the General Assembly on the amendment.

Mr. CHAUDHURY (Pakistan). When the tripartite draft resolution was being discussed in the First Committee my delegation abstained from voting for the very simple reason that the words, "that item," appearing in the operative part of the draft resolution had considerably limited the scope of the problem. It was limited to the extent that the entire draft resolution appeared to be an outcome of a prejudiced mind. But we greatly welcome the amendment which has now been submitted, which focuses the attention on the four fundamental principles that are contained in the five-power draft resolution reading as follows:

"1. To respect the political independence of China and to be guided by the principles of the United Nations in their relations with China;

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"2. To respect the right of the people of China now and in the future to choose freely their political institutions and to maintain a government independent of foreign control;

"3. To respect existing treaties relating to China; and

"4. To refrain from (a) seeking to acquire spheres of influence or to create foreign controlled regimes within the territory of China; (b) seeking to obtain special rights or privileges within the territory of China."

EXCERPTS FROM STATEMENT TO THE PRESS BY AMBASSADOR JESSUP, HONG KONG, JANUARY 18, 1950

[Source: Press statement attached as enclosure 1 to official communication from Consul General Rankin to the Department of State, Hong Kong No. 84, of January 31, 1950]

EXCERPTS FROM STATEMENT TO THE PRESS BY AMBASSADOR JESSUP, HONG KONG, JANUARY 18, 1950

"I wish to make a statement regarding United States policy in Asia and the whole Far East. These principles have been stated officially many times, but it is important that people throughout the world not lose sight of them. "First: The United States opposes the Communist theory and practice of attempting to overthrow governments by violence or subversive action. We shall continue to oppose that vicious theory and practice by peaceful means throughout Asia and throughout the world.

"Second: We are opposed to imperialism in any form. We have always firmly rejected it in our own policy, and we oppose it wherever practiced."

"The interest of the United States in the independence of the countries of Asia is genuine and abiding. The history of the past 150 years proves this statement. Within our economic capacity, a major factor in determining the assistance we can render the people of Asia is the degree to which these peoples are prepared to support governments of their own choosing in opposition to Communist tyranny.

"The United States will continue to take its stand for freedom, because of our conviction that there lies the true interest not only of the peoples of Asia but also the United States and of all of the United Nations."

EXCERPTS FROM BROADCAST BY AMBASSADOR JESSUP OVER RADIO MALAYA, SINGAPORE, FEBRUARY 6, 1950

[Source: United States Department of State Press Release No. FE.50/86; February 6, 1950]

As a result of these fundamental beliefs, we are firmly opposed to all systems of government which seek to enslave the individual or to subordinate him to some supposed overriding interest of the state. That is why we opposed and will continue to oppose all forms of totalitarian dictatorship whether they take the form of the Nazi or Fascist regimes of Europe and of Japan which we and our allies defeated in the last war or whether they take the form of the current theories of communism.

Specifically, we are opposed to imperialism. By imperialism I mean the policy of attempting to subject and exploit other peoples for one's own benefit. Imperialism is thus the exact opposite of the policy which the United States followed in training the people of the Philippines for self-government and of granting them their full independence. It is the exact opposite of the policy followed by the United Kingdom in granting independence to India, Pakistan, Burma, and Ceylon and in developing here in Malaya a progressive program toward nationhood. It is the exact opposite of the policy which the Netherlands followed in helping to establish the United States of Indonesia and which France is following in perfecting the independence of Viet Nam, Cambodia, and Laos.

On the other hand, the new form of imperialism which we see in the world today is illustrated by the policy of the Cominform, the international agency of the Communist Party, which insists that the peoples who are brought under its control are not entitled to express their own views but must conform in

every respect to the decisions laid down in Moscow. The official public pronouncements of the Communist leaders announce that nationalism in Asia is to be encouraged only as a step on the road to the subjection of the peoples of Asia to the alien rule of the Russian dictators who control the policies of the Cominform.

* * * I have had the privilege of being one of the representatives of my Government in many meetings of the United Nations. As the record proves and as the experience of everyone who has attended such meetings testifies, states which are closely with the Soviet Union must always take identical action with the Soviet Union. There is no room in that system for the expression of any separate point of view. The rigid control which exists over the individual in the Soviet-Russian system, which is the Communist system, extends also the relations of governments which form part of the Soviet bloc and which are therefore naturally and properly known as satellites.

It is precisely because of this fundamental difference in the theory of the free nations of the world and in the theory of the Soviet Union that many of the actions taken by the General Assembly of the United Nations are seen in their true significance.

EXCERPT FROM SPEECH BY AMBASSADOR JESSUP OVER NATIONAL RADIO STATION OF THAILAND DELIVERED FEBRUARY 17, 1950

[Source : Original manuscript in files of Department of State]

EXCERPT FROM SPEECH BY AMBASSADOR JESSUP OVER NATIONAL RADIO STATION OF THAILAND

What I should like to discuss briefly is one of the great problems which both our countries face and which other free nations of the world face—the danger that a hostile power, through subversion, through infiltration of disloyal elements, may seek to overthrow the government and to establish an alien rule which will put an end to the independent existence of the state affected. That is the menace of international communism today and against that menace we stand firm.

EXCERPTS FROM STATEMENT TO THE PRESS BY AMBASSADOR JESSUP AT UNITED STATES INFORMATION LIBRARY, 54 QUEENSWAY, NEW DELHI, FEBRUARY 23, 1950

[Source : U. S. Department of State press release, February 23, 1950]

EXCERPTS FROM STATEMENT TO THE PRESS BY AMBASSADOR JESSUP AT UNITED STATES INFORMATION LIBRARY, 54 QUEENSBURY, NEW DELHI, FEBRUARY 23, 1950

Since the end of the Second World War, history has recorded the extension of a new imperialism that has brought more than a dozen countries under the domination of a single expanding power. The device used by this expanding power in extending its imperialism is to hold out the glittering promises of communism as a beacon light for the rescue of peoples who are suffering from economic underdevelopment or who are trying to remove the shackles of the old traditional kinds of colonialism. However, where communism gains control, it becomes immediately apparent that the people are not allowed to determine their own future but must conform to a single policy laid down in Moscow.

* * * Communism is hostile to what the Asian people want to do and what we want to help them to do—which is to develop the stability of their new countries and to develop their resources and their technical skills so that they are not subject to penetration, either through ignorance or distress or because they succumb to the false promises of the Communists.

Ambassador Jessup. Thank you, sir.

Among the international matters with which I have been called upon to deal for the United States are those of Korea, where the efforts of the United Nations to unify and give independence to that country encountered boycott and obstruction from the Soviet Union, the lifting of the Berlin blockade, in which I had the good fortune

to play a part, the attempts of the United Nations to preserve the independence of China, and the disposition of the Italian colonies in north Africa. Another case that I might mention is that of Indonesia, where it has been the aim of the United States to encourage the Indonesian national government, the government of which has shown its ability to cope with Indonesian communism.

I should like at this point to read just a few sentences from a statement which I made in Security Council of the United Nations on January 1, 1949, on this question of Indonesia. I said at that time:

No one doubts that the Communists in Indonesia, like the Communists throughout the world, are responsive to and act in accordance with instructions from Moscow. The Communist revolt against the Government of President Soekarno and Premier Hotta was, itself, an effort on the part of the Government of the U. S. S. R. to overthrow the Indonesian Republic.

Furthermore, when the resumption of hostilities by the Netherlands Government against the Indonesian Republic took place, the official Communist Party line, as printed in the Communist press, instead of deplored this action, openly gloated that it was a punishment for the Government of President Soekarno and Premier Hotta, which had successfully put down a Communist revolt.

And, I said further:

But, the U. S. S. R. does not want an independent Indonesia, it wants an Indonesia under the domination and control of a Communist minority, taking its orders from Moscow. Anywhere in the world, when a Communist government climbs in through the window, independence is kicked out of the door.

That is among the records which I have submitted for the committee, sir.

In these matters, as in others, the Soviet Union opposed the settlements supported by the United States and other members of the United Nations. I have defended the position of the United States and fought the obstructive tactics of the Soviet Union and its Communist satellites. It is not for me to judge whether I have done well. I do assert that it cannot be denied that the record reveals complete devotion to the interests of the United States and our way of life and uncompromising hostility to international communism and all that it stands for.

Although I believe, Mr. Chairman, I have made it clear from what I have already said, I wish to repeat categorically and without qualification that I am not a Communist and never have been a Communist. I am not and never have been a Communist sympathizer. I have never knowingly supported or promoted any movement or organization which I know had as its objective the furtherance of Communist objectives. Although I cannot claim to have any detailed knowledge of the process, I wholeheartedly support the efforts of those whose official responsibility it is to see that Communists or Communist sympathizers are kept out of our Government.

Mr. Chairman, as I have attempted conscientiously to review the record of my activities, I have perhaps been prejudiced by my own inner knowledge that Senator McCarthy's charges and insinuations are utterly false. But I submit that any sincere person would have concluded from a review of the record that it does not offer the slightest iota of proof that I have "an unusual affinity for Communist causes." I therefore conclude that Senator McCarthy's charges and insinuations are not only false but utterly irresponsible and under the circumstances reveal a shocking disregard for the interests of our country.

Mr. Chairman, if these insinuations affected me alone, they would perhaps not be a matter of any great importance, except to me, my family, and my friends. But these insinuations, and the manner in which they were put forward, have had an effect upon 150,000,000 Americans and all the people in the world who are striving for peace. I know I do not have to tell the members of this committee of the serious situation which exists in the world today. You know that the stakes are high. The United States is in the midst of a struggle for peace. We are opposed by the efforts of a diabolically clever and well-organized Communist organization which is seeking to destroy our democracy. If we are to succeed in our struggle, we must forego all partisanship and all partisan political adventures. If we are to succeed, we must show to our friends in the free world that we are not divided in our counsels, but that we are united in our determination to promote the cause of peace and to pursue the wisest policy which our united genius can devise. If we are to succeed, we must all dedicate ourselves to the cause of peace with devotion and unity of purpose. For my part, that is my one and only thought.

Thank you.

Senator TYDINGS. Thank you, Dr. Jessup.

(Loud applause.)

Senator TYDINGS. Please, no demonstration.

Any questions, Senator Hickenlooper?

Senator HICKENLOOPER. Mr. Chairman, I have some questions that I feel I should ask Mr. Jessup; but again, I want to make my position clear.

Over a week ago, Senator McCarthy publicly named nine names and at that time I requested that we immediately get the files so we would have whatever information, in fairness to the witnesses, or to the people who were named, and in fairness to this committee—that we immediately get the files on those nine people.

So far as I know, those files have not been secured. I have had no opportunity to look into the rounded-out information which may affect any of these people, and therefore I feel that any questions of mine, at this time, are utterly without any foundation of extensive knowledge of the allegations, or information, and I again renew my request that this committee do what the Senate ordered it to do, and that is, to secure these files.

I think an inexcusable delay has occurred in the securing of the files of the nine people who are named, not only in the interest of good investigation, but in the interest of the people who have been named, themselves.

Now, I also received a copy of a letter from Senator McCarthy, delivered by hand to my office just a few moments ago, in which he requested that he, as the moving party in this accusation, be allowed to confront the witness and to examine him and question him.

Has any action been taken on that, Mr. Chairman?

Senator TYDINGS. It would be pretty hard to take action on the last request, because it did not reach me until about 10 minutes after 10 this morning; and, the chairman is not making policy for this committee. He has to have all five members present and ascertain what their wishes are.

The matter will be laid before the committee at the earliest possible moment when a meeting can be had.

Now, as long as we are talking about a list of names, the only detailed charge against Mr. Jessup that I recall is "that he has an unusual affinity for Communist causes."

There has been no supporting data offered by any witness to substantiate that charge.

In the second place, we are here because that is the only evidence that has been brought before this committee up to now concerning Dr. Jessup.

In the third place, on the Senate floor on the 20th of February 1950, over a month ago, over 4 weeks ago, Senator McCarthy outlined by number the cases of 81 individuals whom he asked the Senate committee to investigate. The individuals were not named. They were designated by number.

Up to this minute, none of those 81 names has been furnished by Senator McCarthy or anybody else, and how we can get the files of someone whose name we do not know is a matter of great conjecture to the chairman, as it must be to the other members of this committee.

I have asked repeatedly, publicly and privately and by letter, for these 81 names; and, I have not yet received an answer to my letter, except a telephone conversation which I had with the Senator when he received my letter of request; to wit, that they would be furnished today, Monday. Up to the present time, they have not come in my office, as the result of an inquiry I just made before I came up here, to make sure that that was the case.

Now, the nine names, of which Dr. Jessup, I believe, was one, were submitted only about 10 days ago. It is a matter of some difficulty for me to realize why we could get nine names submitted 9 days ago in public, and could not get the 81 names submitted almost a month ago; and, the names of the nine, as I understand it, are at least for the most part, if not entirely, not names that were mentioned in the debate in the Senate which caused us to be appointed and conduct this investigation.

Now, as to the files: I have asked the State Department to turn over the files to us in the cases that have been mentioned. I have likewise had a brief made of our rights under subpoena to obtain those files. The State Department has indicated a willingness to turn over these files, but as it will create a precedent they are moving very cautiously so that in other instances what is done here may not be seized upon, at the whim of everyone to get to the files in the future; and, if the committee will bear with me just a moment, I would like at this point to give some information about these files, so that there will be fuller understanding of the task of the committee, and why I have been proceeding in the manner outlined.

As I said, I had looked up and had prepared our authority to proceed to obtain these files, and I will now read the history of the actions by numerous executives dealing with files and similar information that had been requested by the Congress.

Who are the authorities that have established the soundness of the constitutional doctrine that the legislative branch may not subpoena the executive branch?

I. Presidents who established this doctrine in the first century of our national existence:

1796. George Washington refused papers to the House (Richardson, Messages and Papers of the Presidents, vol. I, pp. 194, 196—hereafter cited simply as Richardson).

In 1825, James Monroe refused papers to the House (reported in Richardson, vol. 2, p. 278).

In 1833, Andrew Jackson refused papers to the Senate (reported in Richardson, vol. 3, p. 36).

In 1835, Andrew Jackson refused papers to the Senate (reported in Richardson, vol. 3, pp. 132 and 133).

In 1843, John Tyler refused papers to the House (reported in Richardson, vol. 4, pp. 105 and 106, and 221 and 223).

In 1880, Grover Cleveland supported his Attorney General's refusal to comply with Senate resolution calling for papers.

II. Quotations of views expressed by various Presidents who served prior to the current period:

George Washington: * * * As it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and to the duty of my office * * * forbids a compliance with your request.

(Reported by Richardson in vol. 1, pp. 194 and 196.)

George Washington's Farewell Address: * * * The habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism * * *.

(Richardson, vol. 1, p. 230.)

John Tyler: A mass of vague, incoherent, and personal matter would be made public at a vast consumption of time, money, and trouble without accomplishing or tending in any manner to accomplish, as it appears to me, any useful object connected with a sound and constitutional administration of the Government in any of its branches.

In my judgment, a compliance with the resolution which has been transmitted to me would be a surrender of duties and powers which the Constitution has conferred exclusively on the Executive; and, therefore, such compliance cannot be made by me nor by the heads of departments by my direction.

(Richardson, vol. 4, pp. 105-106.)

William Howard Taft, after his Presidency, and before his Chief Justiceship:

The President is required by the Constitution from time to time to give to Congress information on the state of the union * * * but this does not enable Congress or either House of Congress to elicit from him confidential information which he has acquired for the purpose of enabling him to discharge his constitutional duties, if he does not deem the disclosure of such information prudent or in the public interest.

(The Chief Magistrate, published in 1909, at p. 120.)

III. The views of a congressional committee: In 1870, the House Judiciary Committee reported to the House, supporting the constitutional doctrine here under discussion, saying:

The Executive is as independent as either House of Congress is independent of him, and they cannot call for the records of his action or the action of his officers against his consent, any more than he can call for any of the journals and records of the House or Senate. * * *

This mischief of the House calling for documents might easily be a very great one * * * Somebody must judge upon this point. It clearly cannot be the House or its committee * * * The head of the executive department * * * must be the Judge * * *.

IV. Attorneys General have consistently taken this view and so advised Houses of Congress and the President.

The following include distinguished holders of the chief legal position in the Government, including Republicans of stature, and two Democrats of conservative reputation, one of them (McReynolds of Tennessee) subsequently a Justice of the Supreme Court, and the other (Gregory of Texas) one of the greatest holders of that office throughout the Nation's history particularly for his support of the Constitution and the American political system.

In 1904, Attorney General Knox, in a communication to the House of April 27, dealt with this point.

In 1908, Charles J. Bonaparte, Attorney General under Theodore Roosevelt, to the House on April 13th dealt with this point.

In 1912, Attorney General Wickersham, in a communication to the House dated March 18th.

In 1914, McReynolds to the President, in a communication dated August 28th.

In 1915, Gregory to the Senate, in a communication dated February 23d.

In 1926, Attorney General Sargent, in the Coolidge Cabinet, to the House Judiciary Committee, in a communication dated June 8th.

The above citations, besides appearing in the Congressional Record and committee hearings, appear in Opinions of the Attorney General, volume 40, pages 47 and 48.

V. Court discussion of the separation of powers:

(1) The United States Supreme Court, in *Kilbourn v. Thompson* (103 U. S. 160, 190), said:

It is believed to be one of the chief merits of the American system of written constitutional law that all the powers entrusted to Government, whether State or national, are divided into the three grand departments—the executive, the legislative, and the judicial—that the functions appropriate to each of these branches of Government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other.

(2) State courts agree. For example, Pennsylvania court in *Appeal of Hartranft* (85 Pa. 433, 445), reading:

* * * We had better at the outset recognize the fact that the executive department is a coordinate branch of the Government with power to judge what should or should not be done, within its own department, and what of its own doings and communications should or should not be kept secret, and that with it, in the exercise of these constitutional powers, the courts have no more right to interfere than has the executive, under like conditions, to interfere with the courts.

VI. Other court authorities supporting the constitutional doctrine are as follows:

Marbury v. Madison—these are mostly Supreme Court cases—reported in 1 Cranch 137, 169.

Totten v. United States, reported in 92 U. S. 105.

Vogel v. Gruaz, reported in 110 U. S. 311.

In reference to Quarles and Butler, 158 U. S. 532.

Boske v. Comingore, 177 U. S. 459.

In reference to Huttman, 70 Fed. 699.

In reference to Lamberton, 124 Fed. 446

In reference to Valeoia Condensed Milk Co., 240 Fed. 810.

Eltrod v. Moss, 278 Fed. 128.

Arnstein v. United States, 296 Fed. 946.

Gray v. Pentland, 2 Sergeant & Rawle's (Pa.) 28 and 28.

Thompson v. German Valley Railroad Co., 22 New Jersey Equity

III.

Worthington v. Scribner, 109 Mass. 487.

2 Burr Trials, 583-586.

And, 25 Opinions of the Attorney General 826.

VII. American writers on constitutional law who explain and approve the above doctrine:

3 Willoughby, the Constitutional Law of the United States (1929), pages 1488, and so forth.

Mason, Congressional Demands upon the Executive for Information. Five papers of the American Historical Association (1891), page 88.

Eberling, Congressional Investigations (1928), page 282.

Finley and Sanderson, the American Executive and Executive Methods (1908), pages 199 and 200, and 246 to 265.

Then there are others that I will not put in the record at the moment.

In view of this opinion which I have had for sometime, which I obtained shortly after my appointment, I wanted to get all of these records; and, realizing that the road to get them by force or by subpena might be a stormy and a fruitless one, I have been trying to get the records without having a controversy over them.

The State Department, I believe, is willing to give me these records. I shall be disappointed if I do not get them. It will be contrary to the indications I have so far received; but I do realize that in the face of the precedents which support, in my opinion, the right of the Executive to withhold them, should he so desire, that we had better proceed in the manner best calculated to put the files in our hands, and I am very hopeful that before very many days go by, I hope today or tomorrow, or not later than Wednesday as a matter of conjecture, we will have access to the files and can go ahead with them.

However, I want the public to know, and the committee to know, that it will be a courtesy extended to us, and contrary to the legal precedents from George Washington down to date, if we do get them.

Senator MoMAHON. Mr. Chairman, I just wish to make this observation: That you may have been informing the public as to the law or the precedents but you were not informing any member of this committee, including the Senator from Iowa, as to the precedents.

Senator TYDRINGS. I believed that I ought to make this statement that I have because I want to get the files. I want the files of every case, every person or number that has been mentioned. There were 81 mentioned a month ago, and I hope we will get those today, together with all others, and I want to arrange at some place and time where we can look at these files and see whether these accusations and charges are true or false, but I do want the public to know—I do not believe I have to tell the committee; there are good lawyers here—that the precedents all seem, in my opinion, to favor the President's right to withhold them should he see fit. I have reason to believe we will get

these files, but we won't get them if we are going at it the wrong way. I am trying to get results and not get into a controversy with the executive department.

Senator HICKENLOOPER. The brief which the chairman has read has been, I think, discussed repeatedly on the floor of the Senate. These alleged precedents and others have been the subjects of discussions from time to time in the past, even in the short time that I have been a Member of the Senate.

Nevertheless the Senate, in adopting its resolution, and in view of the fact that these have been thoroughly discussed and threshed out with various opinions on the floor of the Senate, directed this subcommittee as follows in the last sentence of the resolution, Senate Resolution 281:

In the conduct of this study and investigation, the committee is directed to procure by subpoena and examine the complete loyalty and employment files and records of all the Government employees in the Department of State and such other agencies against whom charges have been heard.

Do I take it, Mr. Chairman, that this subcommittee of the Committee on Foreign Relations is setting itself up as a judicial body to interpret the law and to overrule the direct mandate of the Senate of the United States to do this act?

Senator TYDINGS. Will you let me answer that? I was not present when this resolution was passed. After it had been passed and my committee had been appointed, I called to the attention of the full Foreign Relations Committee a great many ambiguities in the resolution, in my opinion, and I called this to the attention of the Senate on the floor. For example, if we want to go by the resolution, and stick strictly to it, as my colleague from Iowa seems to indicate would be wise, then the only thing we can investigate is the following:

is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are or have been employed by the Department of State.

So far as the present witness before us is concerned, he has been charged with having an affinity for Communist causes. There has been no charge, other than that, that he has been disloyal to the United States. So, unless a charge is made that he is disloyal to the United States, if we are going to stick to this resolution and are going to be technical with all parts of it, I hardly know how to proceed with this witness.

Now I will in due time, to carry out the wishes of the Senate, should entreaties and requests to get the files fail, issue a subpoena, although my face, to be frank, will be a little red when I do it because I know in advance we have no power to enforce it. Nevertheless, I shall be true to the commitment which the Senate enforces upon the committee. But I hope, too, if we are going to be that strict about interpreting this resolution, that we will not forget that our job is to investigate whether persons who are disloyal to the United States have been employed by the Department of State, and in the latter part of the same resolution which Senator Hickenlooper just read, I will read that whole sentence:

In the conduct of this study and investigation, the committee is directed to procure by subpoena and examine the complete loyalty and employment files in the Department of State and such other agencies against whom charges have been heard.

Now Senator McCarthy, in his testimony under oath on the stand, said he was not making charges. He said he was only giving us information. Should we investigate all of the information that comes before us regardless of whether it contains a charge or not? For, in one case I have been handed 25 names with not even one sentence about any of them to show what the charge was.

If we are going to be technical, I would be delighted to have my friend from Iowa right here and now tell me what he thinks the scope of this investigation should be as outlined by the resolution which brings us into being.

Senator HICKENLOOPER. I will be delighted to tell the Senator that I think long since we should have secured the files of the nine people who have been specifically and publicly mentioned; that we have delayed overlong; that we have not been zealous or diligent in getting those files, and that any number of things could happen to those files. I do not say that they will or that they have happened. But this delay is certainly mysterious to me, and I see no reason why we should not immediately have got hold of the files, all of the files, on the nine people mentioned, in their interest as well as in the interest of expeditious investigation. That is one step, and if we take that we will occupy our time for a while and we will be getting at the heart and meat of this matter.

Senator TYDINGAS. Should we investigate people against whom no charges have been filed?

Senator HICKENLOOPER. I think it is entirely within the committee to determine what people in the State Department should be investigated. If this is to be a highly technical investigation, with the refusal of this committee to look into specific cases as well as collateral cases, then it will be a fruitless investigation, as anyone can see.

Senator TYDINGAS. We cannot subpoena any of the records except for the files of people against whom charges have been heard. That is what the resolution says.

Senator HICKENLOOPER. There have been nine specifically mentioned, and if I understand the English language there have been some definite charges made against these people, and we have made no progress so far as I know in the acquisition of the files on these specific nine people. There is a start for us.

Senator TYDINGAS. The resolution says:

In the conduct of this study and investigation the committee is directed to procure by subpoena—

Senator HICKENLOOPER. That's plain.

Senator TYDINGAS (continuing):

and examine the complete loyalty files and records of all employees against whom charges have been heard.

With regard to Mr. Jessup, who comes before us this morning, the sole charge so far that I have heard is that he has an affinity for Communist organizations. I suppose that would be a charge. The Chairman said on the floor of the Senate, in answer to an interrogation I think from Senator Knowland, that he would extend the widest measure of interpretation to this resolution, and that he will do. So even the 25 cases against whom no charge has been made, being only a list of names which Senator McCarthy gave me, without a line or a syllable to tell us what the charge is, I have already asked for the

records on, and I happen to know that the State Department at this very moment is trying to work out a procedure so that we can see the records. Their fear is that if they give them up now, every time in the future that somebody wants to use them, we will assume for purposes that best suit the individual so that they can be reviewed, this will be used as a precedent. There has been no breach of this precedent so far and there naturally is some concern among those who are responsible for the executive branch about making a precedent now.

But I want to conclude by saying this, that I expect to get the files. I have asked for the files as a gentleman and not as a sheriff, because I think the President of the United States is entitled to some respect whether he is a Democrat or Republican or what he may be, and I said on the floor of the Senate, when I was asked whether we would issue a subpoena that insofar as I was concerned I would not issue a subpoena until I had made a proper and decent request for the files, before resorting to any such action, which might be misinterpreted by the person against whom it was directed.

Senator HICKENLOOPER. Then do I understand, Mr. Chairman, that this subcommittee must, at a time to be prescribed at the convenience of the State Department, go with bat in hand and stand outside of some door until they, in their own good time, will open that door and, under certain regulations, restrictions, and surveillance, watch over the deliberations of this committee and say, at certain points, "Uh-uh, you can't go any further than that; you must do this"? In other words, are we to investigate this under the direction of the State Department or are we to investigate it under the direction and the power and the authority of a Senate committee that is set up under a resolution?

Senator TYDINGS. You know just as well as I do that if the President refuses to give us these files there is no way in the world that we can get them. I am going to proceed upon the premise that we want the files, although I have some doubts about that in some quarters. Nevertheless, I want the files.

Senator McMAHON. I am not so sure, Mr. Chairman, that they want the files. What they want is a refusal of the files.

Senator TYDINGS. I am not going to say that, but that inference is clearly drawn. I am going to get those files if it is humanly possible for me to do it, and I am going to do it in a way that I think will bring success and not bring controversy and smear up this issue when it ought not to be smeared up but clarified.

I think we ought to give the witness now a chance to be interrogated by Senator Hickenlooper, and I will say that I will call a meeting of this committee at their earliest convenience to go into all the procedures that are now before us.

Senator HICKENLOOPER. At the outset, Mr. Chairman, Senator McCarthy, who is in the room, just came up a moment ago and gave me some whispered information in my ear, and I said, "Have you got the papers there?" and he said "Yes, he had," so he brought them up. I was handed what is alleged to be—I have no personal knowledge of this at all—a receipt for a registered letter mailed Saturday afternoon, March 18, at 5:20 p. m. to Senator Tydings. It bears a Washington post office stamp showing the fees. Its register number is 342580.

It has a copy of a letter of March 18 addressed to Senator Millard Tydings, chairman, Foreign Relations Subcommittee, Washington, D. C., signed by Joe McCarthy, which is as follows:

DEAR SENATOR TYDINGS: Enclosed are the names which you as chairman of the subcommittee demanded that I furnish in connection with the 81 cases cited on the Senate floor. They are being submitted as part of the record in executive session. I believe you will find complete and detailed reports on each in the various files which I indicated to the committee the other day, namely State Department, Civil Service, and FBI. I would, however, like the right to present to the committee additional documentation in cases of bad security from time to time.

Attached to that—may I complete the exhibit, because I am going to offer this whole business here in the record—

Senator TYDINGS. The names too?

Senator HICKENLOOPER. Senator McCarthy desires that I offer the names in executive session. I will hand them to the Chair, and he may do what he wishes.

Attached thereto is a list of 81 names. Then another letter attached to this file, a copy of a letter alleged to be signed by R. H. Hillenkoetter, rear admiral, Director of Central Intelligence, to Hon. Joseph McCarthy. Senator McCarthy has just whispered in my ear that he prefers that that not be made public, that copy of that letter. I shall hand the entire file to the chairman. The first page has the registered receipt for the letter containing the 81 names.

Senator TYDINGS. I am certainly glad to get them. It is exactly 1 month to the day since the 81 cases were brought before the attention of the Senate. This is the first time I have had the names in my hand, and I shall request, before the day is over, from appropriate officials in the State Department, to get these files available to the committee at the earliest possible date.

Senator HICKENLOOPER. One other thing, Mr. Chairman. I think it is very important, in the interests of complete examination of this matter at this moment and ineffective as I think any examination of this kind can be without full access to the files, that a decision be made on whether or not Senator McCarthy, who is the moving force in connection with Mr. Jessup, be permitted to interrogate Mr. Jessup at this time, when they can confront each other.

Senator TYDINGS. I am sorry; I did not get your request. I was conferring with Senator Green.

Senator HICKENLOOPER. Personally I have no knowledge of these files. I say that I think it is very important that Senator McCarthy confront Mr. Jessup. He is here; Senator McCarthy is here. I know nothing about this matter. I have no particular or specific questions that I can ask Mr. Jessup. I don't know Mr. Jessup. I have never seen any information on him of any kind. I think it is very important that Senator McCarthy, who has generated this matter, be permitted to bring up whatever matters he has with Mr. Jessup. Mr. Jessup has come up here, I assume, at his own request, and I would like to urge that, Mr. Chairman.

Senator TYDINGS. We will lay this question before the committee and decide on procedure. I do not want to be precluded from passing on it in the committee. However, I think this is a fair observation, that Mr. Jessup did not know he was to be accused, I presume, until he heard about it through the press. Mr. Jessup was not invited to

be here to cross-examine Senator McCarthy. The Constitution of the United States, in the bill of rights, says—and this is a pretty serious case—that every man accused of any offense is entitled to be confronted with the witnesses against him. I do not think it gives a comparable right to his accuser. So if we are going to go along in the democratic process, at least, I think Mr. Jessup might be entitled to interrogate Senator McCarthy.

Senator HICKENLOOPER. I think that is utterly fair.

Senator TYDINGS. Further than that, the committee itself has had no opportunity to interrogate Senator McCarthy up to now. We did have some discussion about a collateral matter the first 2 days, when the chairman wanted to get the name of a man who was accused of attempting to fix the State Department records, but other than that, in the Kenyon and all the other cases, outside of asking for the date of a document or something of that sort, there has been no chance for the committee to ask Senator McCarthy any questions, and certainly the committee is going ahead asking Mr. Jessup questions when they have not even had a chance to ask Senator McCarthy any questions yet.

Senator McCARTHY. Mr. Chairman, I will be glad to let Mr. Jessup ask me any questions he cares to.

Senator TYDINGS. Just a minute. We have not asked you as yet, Senator McCarthy. I think it would have been fair if these people against whom charges are brought might have been notified so that they might have at least been here and heard the charges against them. But that has not been done, and therefore I think we have got to be as fair to one side as we are to the other in this matter, and you yourself asked that you not be interrupted, finally, until you could complete your statement, and the committee sat more or less mute. Up to the present time it has had no chance to ask you questions and I would like to ask you several questions, particularly about the discrepancies that have appeared in various statements that you have made concerning the number of people who are card-carrying Communists now in the State Department, and known to the Secretary of State.

So far as I read your debate on the Senate floor and your charges before this committee, you have not charged a single person, so far as I can recall, with being a card-carrying Communist now in the State Department. Nevertheless, according to the press, those charges have been printed all over the United States and there has been no evidence before this committee from you, sir, or from anybody else, that assert any of the individuals named are card-carrying Communists or members of the Communist Party.

Go ahead, Senator Hickenlooper.

Senator HICKENLOOPER. I take it that the committee at this time says that Senator McCarthy cannot confront Mr. Jessup.

Senator TYDINGS. Not until we pass on it as a committee, and one of your colleagues is absent. We want his version of what should be done. I will call a meeting this afternoon, if we can get the full committee together, and lay this matter before them. It is all one with me. I have no preconceived ideas, except that I am going to be fair to both sides so far as I am able.

Senator HICKENLOOPER. I think Senator Lodge, who had a very unfortunate situation at his home, will not be here today and perhaps

not tomorrow. I do not know. I checked with his office this morning and they are not certain whether he will be here tomorrow. He is not in town today.

Then, Mr. Chairman, I have just a few questions, and I feel that I am moving utterly in the dark in this matter. I have no particular things to ask of Mr. Jessup that could possibly be generated by any previous information.

Senator TYDINGS. Senator Hickenlooper, if you will pardon an interruption, it is now 5 minutes to 12. If it meets with your approval, the chairman would be glad to have a recess whenever you wish it, and meet again at 2 o'clock or 2:30, during which time you might confer with Senator McCarthy and get such data as he has, so that you can use those data to cross-examine Ambassador Jessup. I would be delighted to do that.

Senator HICKENLOOPER. Mr. Chairman, I sort of reserve the right to make up my own mind on what questions I ask.

Senator TYDINGS. I am only suggesting it.

Senator HICKENLOOPER. And I would like to have the information on which to pass my own judgment on the questions I ask, rather than to be spoon-fed information from the State Department or from Senator McCarthy or anybody else.

Senator TYDINGS. I only said that because Senator McCarthy has been handing you information. I thought you might want time to get it all.

Senator HICKENLOOPER. Senator McCarthy did hand me some very definite information about the registered letter he sent you.

Senator TYDINGS. Also, in the Kenyon case, as I recall, he gave you a list of a great many propositions to put to Judge Kenyon.

Senator HICKENLOOPER. And incidentally, in the Kenyon case, may I suggest that the day after Judge Kenyon was on the stand I learned some very pertinent information about Judge Kenyon which I think would have been very important had I known it at the time she was on the stand so I could have interrogated her about that particular matter, but I did not have access to any files, and I have some reason to believe that this information which I did not have is contained in Judge Kenyon's files, and therefore that examination was not only of the most cursory nature, but I had nothing particularly to go on.

Mr. Jessup, I apologize for attempting to interrupt you when I first sat down. I was about 7 minutes late here and I found the hearing was already under way.

On page 2 of your statement there is the matter that I wanted to mention at that time. You say in the next to the last paragraph, about the fourth line:

However, I do not believe in the concept of guilt by association.
I am using the mimeographed copy.

Ambassador JESSUP. Yes, sir.

Senator HICKENLOOPER. Then, a little later on I think you discussed the legal philosophy of guilt by association as not necessarily being an accepted doctrine in American jurisprudence.

Ambassador JESSUP. Yes, sir.

Senator HICKENLOOPER. You are, of course, aware of the doctrine that is accepted generally in American jurisprudence, of circumstantial evidence; are you not?

Ambassador JESSUP. Yes, sir.

Senator HICKENLOOPER. And that comes pretty close to the doctrine, when it is used to convict, of guilt by association; does it not?

Ambassador JESSUP. I think there is quite a difference, Senator.

Senator HICKENLOOPER. I think there are some legalistic differences, yes, indeed; but circumstantial evidence is nevertheless, when it is used for conviction, evidence which is produced by circumstances rather than by actual proof or visible witnesses of the commission of the actual crime. Is that roughly the concept?

Ambassador JESSUP. I should think that would be sufficient, sir.

Senator HICKENLOOPER. So there would be elements of guilt by association in our concept of circumstantial evidence; would you agree with that?

Ambassador JESSUP. I think there is quite a difference between what is commonly called guilt by association and the doctrine of the admission of circumstantial evidence in a criminal trial.

Senator HICKENLOOPER. I assure you, Dr. Jessup, that I shall avoid at all costs getting into a legalistic dispute with a law professor. I respect your judgment and ability and I do not feel that I can cope with you on the finer points of the law.

Ambassador JESSUP. Thank you, sir.

Senator HICKENLOOPER. Do you believe that there is anything to the doctrine that I might describe as "risk through association"? We have heard a great deal about guilt by association, and that seems to come up every so often—guilt by association. But is there something to risk by association, especially where people are in sensitive positions of importance in the Government? Is it well to look into their associates to determine whether or not there is a risk involved in the positions those people hold?

Ambassador JESSUP. I stated, Senator, in my statement, and I would like to repeat that part:

Although I cannot claim to have any detailed knowledge of the process, I wholeheartedly support the efforts of those whose official responsibility it is to see that Communists or Communist sympathizers are kept out of our Government.

I understand that part of the process involves an investigation of the kind that you have referred to. What I would suggest, Senator, is that in connection with the so-called doctrine of guilt by association there seems to be a tendency to select the existence of one name, coupled with another name, in some list, in some undefined context, and to assume that that means that the coexistence of those names reflects the attitude and position of the person in question.

One might just as well say, in my opinion, that if one had a photograph of the GI's who shook hands with the Russian soldiers when the American and Russian Armies first met in Germany one might charge that the GI who was shaking hands with the Russian was guiltily associated with communism. I think there is nothing in that kind of attempt to associate persons or events which has any validity, and it is that which I object to, sir.

Senator HICKENLOOPER. Then I take it that you discard any idea that the membership of an individual in one organization which is determined to be subversive or pro-Communist is, of course, not much evidence of that person's sympathy for the Communist or subversive cause?

Ambassador JESSUP. I think the important thing, Senator, is whether he knowingly belongs to an organization which is supporting Communist objectives and, with that knowledge, continues his support.

Senator HICKENLOOPER. Let us say that one case makes not a very strong case. Would you say that two or three instances where the individual is a member or a sponsor of organizations that have been declared to be subversive, or afterward are found to be subversive, were such as to strengthen a suspicion that this person has a leaning toward that kind of philosophy?

Ambassador JESSUP. I think not necessarily, Senator, and I think that was brought out in the testimony of Judge Kenyon.

Senator HICKENLOOPER. Would you say 15 such cases would add cumulatively to the question as to whether or not that person had leanings toward the philosophy of these subversive organizations?

Ambassador JESSUP. Obviously, sir, that is cumulative, but I do not think it affects the principle.

Senator HICKENLOOPER. And suppose twenty-five cases occurred where this person was a member of organizations either declared or found to be subversive. Would you think that that would be cumulative evidence which might raise a question for reasonable inquiry?

Ambassador JESSUP. I think it is necessary in those cases, Senator, to do two things: First, to find out whether the organization was publicly branded and known to be subversive at the time of the individual's contact with it, and in the second place, what was the nature of the contact of the individual with the organization. The fact that you had 25 or 50 such cases—

Senator HICKENLOOPER. I was going to suggest, suppose there were 56.

Ambassador JESSUP. I would say, sir, whether there were 25 or 50 or 56, unless one pays some attention to the other two factors which I have just referred to—

Senator HICKENLOOPER. But would you say that the fact of membership in a large number of organizations which either have been declared or have been found by official bodies to be Communist front, that the membership of an individual in a substantial number—let us say 25, or 30, or 40, or as many as 50—would be sufficient grounds to inquire, then, into the further activities of that individual or the organizations involved, in order to arrive at a proper judgment on the attitude of this individual?

Ambassador JESSUP. If you mean, sir, whether it would be the duty of those officially charged with examining into the loyalty of an individual to determine whether that person should be appointed to a position of trust or any position under the Government of the United States, I would say "yes". If it is merely the basis for making a public charge without an investigation of those facts, I say "no."

Senator HICKENLOOPER. Now, then, putting another hypothetical question, if the record of such an individual did disclose membership in a large number of organizations which had been declared or found to be subversive, and if the persons in charge of the appointment of that individual, knowing that, then failed to make any further inquiry or examination into the attitude or other activities of this individual along those lines, would you say that they had failed

to do what the preliminary information should properly indicate in connection with security risk matters?

Ambassador JESSUP. My understanding of an investigation of that kind, Senator, is that the investigator is to look into all affirmative and negative evidence. I assume that is done whether they find 1 case or 50 such cases. It is their duty to look into the question.

Senator HICKENLOOPER. Would you consider membership in such organizations to be negative evidence as original evidence as a basis for further investigation?

Ambassador JESSUP. I should say that without an investigation of the facts to which I have referred it is still very slight evidence. In other words, as I have said before, it seems to me necessary to know whether at the time of this hypothetical association of an individual with an organization that organization was itself actually subversive, or was known to be such; and secondly, I think it is necessary to examine into the exact nature of the association of the individual with that organization.

Senator HICKENLOOPER. Dr. Jessup, do you have any objection whatsoever, or any reservation, with respect to this subcommittee, as a subcommittee, fully examining all of the files and the information contained in Government departments with respect to you?

Ambassador JESSUP. So far as I personally am concerned, sir, everything in my record or anything which anybody has found out about me can be made public. So far as the question which has been discussed in this committee this morning, as to whether the executive department should turn over the files to the committee, that is a question with which I am not charged and on which I should not like to express any opinion.

Senator HICKENLOOPER. Do you have any personal objection to those files being turned over?

Ambassador JESSUP. As I have said, Senator, I have no objection to any information about my career being made public at any time.

Senator HICKENLOOPER. I am not even suggesting that any information be made public.

Ambassador JESSUP. So far as I am concerned, it can be made public.

Senator HICKENLOOPER. The question I asked was, Do you have any objection to the turning over of the files?

Ambassador JESSUP. As I said, Senator, I am not concerned with the question of policy involved, as to whether the executive department should turn over its files to the Senate committee.

Senator TYDINGS. You said you had a statement there. Was that in answer to one of the questions?

Ambassador JESSUP. I merely wanted to add, in connection with what I have just said, Senator, a paragraph from a letter written by Mr. Peyton Ford, Assistant to the Attorney General, to Senator Elbert Thomas on March 6, 1950, which I think is pertinent, if I may. It is very short, Senator. He wrote:

It is characteristic of many front organizations that their purported purposes and programs are designed to appeal to loyal Americans and frequently it is behind a screen of respectability, loyalty, and even patriotism that subversive activities are carried on, often by only a few disloyal persons. In other instances a small minority subverts an organization of previously good purposes and having many members of unquestionable loyalty to the United States.

It is because I believe that is an accurate statement and a sound statement that I have made the comments which I have, indicating

that the mere association is not a sound basis for condemning an individual.

Senator HICKENLOOPER. Again I want to call your attention to the fact that I draw a sharp distinction between conviction based upon association and the question of risk indicated by investigation into association. There is a vast difference between risk, in my judgment, in public office—that is personnel risk—and conviction of any specific crime. I think it has been authoritatively testified to that the Communists have not carried cards in this country for better than 2 years. They are ordered not to. And positive proof of membership in the Communist Party, I am told, is a most difficult thing indeed to produce.

Ambassador JESSUP. May I just also say, Senator, that I wanted to make clear the distinction which exists in my own mind between the process of investigation of a person considered for appointment in the Government service and the question of public charges which are made without an opportunity for the individual to be confronted with the evidence and to answer in regard to what seem to me to be the pertinent facts.

Senator HICKENLOOPER. On page 3 of your statement, with respect to the dinner on May 7, 1946, given by the American-Russian Institute—

Ambassador JESSUP. Yes, sir.

Senator HICKENLOOPER. The only thing that I know about that is that that was quite an important dinner apparently; it was a dinner for the presentation of the First Annual Award to Franklin D. Roosevelt, which would be a matter of some importance, but I notice in your statement that you don't remember whether or not you attended that dinner. The thing that caught my eye was that on the rest of the page, and part of the next page, you remembered very distinctly attending meetings back, I believe, as far as 1943 and 1939 and 1933, I believe, is the earliest one. I thought it rather unusual that you wouldn't remember whether or not you attended a dinner that was given for an award of this kind in 1946.

Ambassador JESSUP. Well, may I say in regard to that, Senator, that as I pointed out in my statement, I searched my files to see if there were any information on this matter, and I couldn't find any. I also pointed out that I was very seriously ill in the hospital from February to June of that year, so that it was unlikely that I attended. Perhaps that was an understatement.

Senator HICKENLOOPER. I have an alleged photostat of a letterhead of the American Law Student's Association, Woolworth Building, room 530, New York, N. Y., in which you are listed as a Faculty Advisory Board member; that is, there is listed from Columbia University the name Prof. Philip Jessup. Were you a member of that organization?

Ambassador JESSUP. I have a very slight recollection of that organization. If I may refresh my recollection on it—

Senator HICKENLOOPER. Yes.

Ambassador JESSUP. What was the year of that supposed affiliation, Senator, if I may ask?

Senator HICKENLOOPER. I don't have a date on this letterhead. I have an alleged photostat of a letterhead which you may look at.

Ambassador JESSUP. I did make an attempt to find out whether I had any such association, and the best I could do in trying to find

some record on it, or stimulating my memory, was this, that I recalled that perhaps 10 years ago some of the students at Columbia had asked me to serve on the Advisory Board of an association. It may have been this one. So far as I could tell from my files, the last contact I had with it was about February or March of 1940. I have no definite recollection about the organization or of my association with it.

Senator HICKENLOOPER. I believe the American Law Student's Association is listed as an affiliate of the American Youth Congress, which was cited as a Communist front by Attorney General Biddle on May 28, 1943, by the Special Committee of the House Committee on Appropriations April 1, 1943, and by the Special Committee on Un-American Activities on June 25, 1942, and on March 29, 1944, and also by the Massachusetts House Committee Report On Un-American Activities in 1938, which would put it more than 10 years ago.

Senator GREEN. That was not the organization with which Dr. Jessup was connected.

Senator HICKENLOOPER. The organization, as I stated a moment ago, was affiliated with the American Youth Congress.

Ambassador JESSUP. As of what date, Senator, was it affiliated? Was that found?

Senator HICKENLOOPER. I do not have the date upon which it was affiliated, but the American Youth Congress, I believe, was cited as a Communist-front organization by the Massachusetts House Committee Report on Un-American Activities in 1938.

Ambassador JESSUP. Do I understand that the American Law Student's Association is not in your citation?

Senator HICKENLOOPER. The American Law Student's Association, I believe, was an affiliate of the American Youth Congress.

Ambassador JESSUP. But you have not indicated on what date it became affiliated, sir?

Senator HICKENLOOPER. No.

Ambassador JESSUP. I see. Thank you.

Senator TYDINGS. Might I ask, too, if the organization that was delineated as being subversive in Massachusetts was a local chapter or a national chapter? Was it the local organization, the State branch of that organization, or was it an indictment of the whole organization throughout the whole United States? Do you know?

Senator HICKENLOOPER. I do not know.

Senator TYDINGS. I would not think an organization in Massachusetts or California or any of these State agencies would be in a position to indict an organization nationally. I would presume they would indict an organization in their own State, but it would be a little difficult to know how they would indict an organization that covers the United States.

Senator HICKENLOOPER. I understand the American Law Student's Association was affiliated with the United Student's Peace Committee, 347 Madison Avenue, New York City. That is according to an exhibit, volume 12, page 7568 and 7569 of the Report of the House Committee on Un-American Activities.

Ambassador JESSUP. I don't know about those organizations. I don't know whether they existed at the time of my meager association with the American Law Student's Association.

Senator HICKENLOOPER. For whatever worth this may be, I believe the Daily Worker of February 27, 1937, on page 2, lists the American Law Student's Association as an affiliate of the American League Against War and Fascism. The American League Against War and Fascism has been cited as a Communist front by the Special Committee on Un-American Activities and by Attorney General Biddle.

Ambassador JESSUP. I don't read that paper, sir, so I wasn't aware of that.

Senator HICKENLOOPER. I don't either. I said that it is alleged that that was printed there.

The letter head which I have here, which I referred to a moment ago, containing the name of Prof. Philip C. Jessup on the faculty advisory board, bears the union label imprint of Local 209 of New York City, which I am informed is the Communist print shop of New York, the letterhead being printed in a Communist print shop. I can offer that in evidence, Mr. Chairman.

Senator TYDINGS. It will be printed in the record at this point.

AMERICAN LAW STUDENT'S ASSOCIATION

WOOLWORTH BUILDING, ROOM 580

New York, N. Y.

Faculty Advisory Board:

Northwestern University School of
Law

Dean Leon Green

New York University

Dean Frank Sommers

Prof. F. D. Sloovers

Prof. Augustin Derby

Prof. William Walsh

Prof. Herman Grey

St. Johns University

Vice Dean John Maloney

Prof. D. S. Edgar, Sr.

Prof. D. S. Edgar, Jr.

Columbia University

Prof. Elliot Cheatham

Prof. Walter Gellhorn

Prof. Philip Jessup

Faculty Advisory Board—Continued

Brooklyn Law School

Prof. Jerome Prince

Prof. Abraham Rotwein

Yale Law School

Prof. Fred Rodell

Prof. Abe Fortas

National Executive Board:

Robert Page, president

Thomas Levinia, vice president

Morris Engel, secretary

Norman Leonard, treasurer

Union label (109). From Communist print shop.

Senator HICKENLOOPER. Now, Mr. Jessup, on page 6 of your statement you are quoting some attitudes toward China. I would like to ask you, are you in complete agreement with the present policy of the State Department toward China as announced some 2 months ago with respect to the withdrawing of support from Chiang Kai-shek?

Senator TYDINGS. I am not going to interfere with this question, but I do not see what that has to do with the fact of whether disloyal persons are employed in the State Department or whether Mr. Jessup is a Communist or not, because I think in both parties there are a great many men who disagree or who agree.

Senator McMAHON. The Formosa beachhead was abandoned, and I suggest if they want to reestablish it with this committee you go ahead.

Senator TYDINGS. I suggest that if we go into all of the ramifications of our China policy we will be here until Christmas.

Senator HICKENLOOPER. May I just clear that up and say that I asked the question as a direct result of the statements made in Mr. Jessup's statement—

Senator TYDING. Go ahead.

Senator HICKENLOOPER. In which he stated his philosophy toward China quite clearly, and I would like to inquire whether Mr. Jessup is in full accord with present announced State Department policy toward China as contained in a statement of a few weeks ago—I can't give you the exact date.

Ambassador JESSUP. I don't identify the particular statement, Senator, but I have no hesitation in saying that I am in complete accord with the policy of the United States toward China at the present time.

Senator HICKENLOOPER. That is, the position the State Department has taken?

Ambassador JESSUP. The position of the State Department is the position of the United States with regard to international policy.

Senator HICKENLOOPER. Then further with respect to your statement on page 6 with regard to China policy, were you in accord with the policies which General Marshall was sent to put into effect? In other words, as I understand them, the inclusion of some Communist members in a coalition government in China?

Ambassador JESSUP. Senator, if I may, I suggest that that is a rather misleading question.

Senator HICKENLOOPER. I don't want it to be misleading.

Ambassador JESSUP. It assumes the nature of General Marshall's mission. I should like to point out that I had no connection with far eastern policy of the State Department at that time. The slight connection I had with the State Department at that time was solely in regard to matters having to do with the United Nations, its organization, and the codification and development of international law.

Senator HICKENLOOPER. Are you acquainted with Mr. Owen Lattimore?

Ambassador JESSUP. Yes, sir.

Senator HICKENLOOPER. When was the last time you saw Mr. Lattimore?

Ambassador JESSUP. I don't remember, exactly. I should think perhaps a year or two ago. I don't remember the last time.

Senator HICKENLOOPER. When did you leave for China and the Far East on your last trip?

Ambassador JESSUP. I sailed from San Francisco on December 20.

My memory is refreshed now that Mr. Lattimore was in Washington at a meeting which I attended shortly before that time. That was then in last December which must have been the last time I saw him.

Senator HICKENLOOPER. Did you discuss China policy with Mr. Lattimore at that time?

Ambassador JESSUP. Yes, sir; with a large group of people who were at the Department at that time. I think there were about 30 of them.

Senator HICKENLOOPER. What was Mr. Lattimore's capacity at that time?

Ambassador JESSUP. Mr. Lattimore's capacity was—I don't know his exact title. He is on the faculty of Johns Hopkins University, I believe the director of a research institute there—

Senator TYDINGS. The William Hines Page chair.
Ambassador JESSUP. The William Hines Page chair.

Senator HICKENLOOPER. Was Mr. Lattimore at that time acting in the capacity of consultant to the State Department, do you know?

Ambassador JESSUP. I could not say definitely, sir, the actual composition of that group, which I would be glad to furnish to the committee. I haven't it all in mind. I remember it included Mr. Harold Stassen, among others. They were a group of citizens of the United States who had had contact with or had ideas about the Far East and were brought down to the State Department for a conference which, as I recall, lasted 2 days, so that we could have a general discussion of views about far eastern policy. They included some businessmen, bankers, one representative of missionary interests, and a number of academic people.

Senator HICKENLOOPER. How long after that meeting was—.

Senator GREEN. Mr. Chairman, may I ask the Senator kindly to give us the ground for this line of examination? What has it to do with the loyalty of the witness? Is this guilt by association with Mr. Lattimore? If so, I think he should tell us why Mr. Lattimore is a person one should not associate with.

Senator TYDINGS. What do you say to that?

Senator HICKENLOOPER. I say I shall pursue my own line of questioning unless the committee forbids me.

Senator TYDINGS. Objection overruled. The witness will proceed.

Senator GREEN. I have made no objection. I thought we might be enlightened as to the purpose of this line of questioning, if there were any.

Senator HICKENLOOPER. How long after this meeting of the State Department was it before you left for China?

Ambassador JESSUP. I can't remember the exact date of that meeting. I think it was a matter of weeks.

Senator HICKENLOOPER. Two or three weeks, would you say?

Ambassador JESSUP. I don't remember the exact date. I think it was early in December and I left Washington, I believe, on the 15th to begin my trip.

Senator HICKENLOOPER. Did you have any conversations with Mr. Lattimore of any kind after that meeting and prior to your departure for China?

Ambassador JESSUP. I do not recall any.

Senator HICKENLOOPER. Did you have a telephone conversation with Mr. Lattimore after that meeting in the State Department and before your departure for China?

Ambassador JESSUP. I don't recall any. It is possible. I don't recall any.

Senator HICKENLOOPER. Do you recall whether you had a telephone conversation with Mr. Lattimore in which you asked him to accompany you to China?

Ambassador JESSUP. I never asked him to accompany me, I never suggested it, I never thought of it.

Senator HICKENLOOPER. At no time?

Ambassador JESSUP. At no time.

Senator HICKENLOOPER. Then Mr. Lattimore could not have said to you that he thought it was better that he not accompany you on that trip?

Ambassador JESSUP. We had no such conversation.

Senator HICKENLOOPER. Mr. Jessup, I believe you were a character witness, were you not, for Mr. Alger Hiss?

Ambassador JESSUP. I was, sir.

Senator HICKENLOOPER. Character witnesses are witnesses who attempt to meet the matter of association, are they not? When one testifies as to the character of an individual, that is testimonial as to that individual's associations and general reputation, isn't that so?

Ambassador JESSUP. My understanding of the role of character witness, Senator, is that it is a very essential part of our jury system under which traditionally a person accused is entitled to have the testimony of persons who are familiar with him in regard to his reputation in the community.

Senator HICKENLOOPER. Are you of the same opinion about Mr. Hiss that you were when you testified as a character witness for him at his trial?

Ambassador JESSUP. The testimony which I gave in his trial, sir, as you have properly pointed out, was as a character witness, in which I testified to the reputation. I see no reason to alter the statements which I made under oath as a witness in that case.

Senator HICKENLOOPER. I was asking you whether your opinion at this time would permit you to give the same evidence now as you gave at that time.

Senator GREEN. I object, Mr. Chairman.

Senator TYDINGS. What is the objection?

Senator GREEN. I object on the ground it has nothing to do with the testimony that has been given.

Senator TYDINGS. Let's be as broad as we can. I think it is a little beside the point.

Ambassador JESSUP. I will be glad to answer that, Senator. I would like to say this about it. It seems to me that this line of questioning, perhaps unconsciously on the Senator's part, is designed to involve me in comments upon the charges which have been made against Mr. Hiss and for which he was tried. As the Senator well knows, it is a very important part of the principles of our system that comments by members of the bar particularly, about matters which are before a court, are not appropriate. I believe that that is an important part of our system. I have been a member of the bar for some 25 years, and I do not intend to engage in a public discussion of the charges which have been made against Mr. Hiss and which are still before the courts. It is for the court to pass upon those charges.

Senator HICKENLOOPER. Dr. Jessup, did you join with a group of other Columbia University professors in addressing a letter to the editor of the New York Times on the subject of the atomic bomb, which letter appeared in that paper, I believe, on February 16, 1946?

Ambassador JESSUP. Yes, sir. I should like to get that letter here before you. That was a letter, sir, which was printed in the New York Times on February 16.

Senator GREEN. What year?

Ambassador JESSUP. 1946. I will be glad to submit a photostat of it for the record. The signers of that letter were a group of the Columbia University faculty. Their names were: Prof. L. C. Dunn, I. Edman, A. P. Evans, S. Hecht, P. C. Jessup, R. M. MacIver, Edgar

Miller, F. C. Mills, George B. Pegram, I. L. Rabi, J. Schilt, C. S. Shoup.

I would like to point out, sir, that among those the names of Professor Pegram and Professor Rabi are particularly well known in connection with the matters of atomic energy, since both of them were leading physicists prominently associated with what was known as the Manhattan project, which was the project under which much of the work on the development of the atomic bomb went on during the war.

Professor Pegram, the dean of the faculty at Columbia, and Professor Rabi, Nobel prize winner and one of the leading physicists engaged in the atomic research program, are two of the signers.

I would like to call attention to the fact that this letter was written some 4 months before the Baruch proposals were made known. It was a conscientious effort on the part of this group of us at Columbia to make what seemed to us at the time a useful suggestion in regard to the procedures which should be followed in the discussion of control of the atomic bomb through the United Nations. I have a photostat of that letter and will be glad to submit it.

Senator HICKENLOOPER. I would like to read this letter into the record. This letter is as follows under the heading "Urge bomb-making vacation. Columbia professors ask declaration to aid UNO Commission."

To the EDITOR OF THE NEW YORK TIMES:

In view of the establishment of the UNO Commission on the Atomic bomb, we would like to suggest a declaration of policy of the following nature by the President of the United States in order that the discussions of the UNO Commission may proceed in an atmosphere of full good faith and of confidence in their successful outcome for international peace:

1. The United States will at once stop the production of bombs from material currently produced. This includes the preparation of subassemblies and all other procedures involved in the fabrication of bombs.

2. For 1 year, which would seem to be a reasonable time for the Commission to mature its plans and to secure action on them by the governments concerned, we will stop accumulating purified plutonium and uranium-235, which are the essential ingredients of atomic bombs. The plants which produce these materials will be kept merely in a stand-by condition. For this purpose they will run at the minimum rate compatible with maintaining them in good order, but they will not accumulate the resulting purified and fissionable products. As produced, these will be eliminated by appropriate means, such as dumping them into the ocean or returning them to their original mixture.

3. We are prepared to have the disposition of our present stockpile of bombs considered as one of the items in an agreement to be entered into by us and the other governments.

I have read the letter signed by the individuals whom you named a moment ago?

Ambassador JESSUP. Yes.

Senator HICKENLOOPER. I hand it now to the reporter for inclusion as exhibit 58.

Now, Dr. Jessup, in the light of the fact that it has been very widely reported that Russian zeal in the production of atomic weapons has not abated at any time, do you still feel that we should stop the production of fissionable materials for a year and dump our accumulated materials into the ocean?

Ambassador JESSUP. I certainly do not, sir. That is a statement which was made in 1946 without the benefit of hindsight. It was the general hope at that time, I believe, of the Government of the United States as well as the American people, that it would be possible to

reach an international agreement for the control of atomic energy, and the policy of the Government, as is well known, was to submit proposals to the United Nations with that end in view. We have since found out that the Soviet Union is not prepared to cooperate in any feasible scheme for the control of atomic energy. Obviously under these present circumstances a proposal made in February 1946 is inapplicable.

Senator HICKENLOOPER. Are you acquainted with Mr. Frederick Vanderbilt Field?

Ambassador JESSUP. I am, sir.

Senator HICKENLOOPER. Did you work with him in the Institute of Pacific Relations?

Ambassador JESSUP. I did, sir.

Senator HICKENLOOPER. Did he remain on in that institute after you ceased your active associations or active participation in its affairs at your insistence and request?

Ambassador JESSUP. After I terminated my affiliation?

Senator HICKENLOOPER. Yes.

Ambassador JESSUP. I never insisted or requested that he should continue after I left.

Senator HICKENLOOPER. Are you aware of what public declarations Mr. Field has made with regard to his affiliation or nonaffiliation with the Communist Party?

Ambassador JESSUP. I am not familiar with the text of them. I understand he is now an editorial writer on some Communist paper and I believe he has made some statements about his sympathy for Communist causes in the last few years.

Senator HICKENLOOPER. Do you recall whether you were sponsor in May of 1939 at a meeting of the National Emergency Conference held in the Raleigh Hotel in Washington?

Ambassador JESSUP. If I may just look at my file notes, Senator, there appears to have been, as I have been able to find, something called a National Emergency Council for Democratic Rights. Is that the one you refer to? Would you repeat again, sir, the one you have in mind?

Senator HICKENLOOPER. I was going to ask you about the National Emergency Conference. This was held on May 13 and 14, 1939, at the Raleigh Hotel, in Washington.

AMBASSADOR JESSUP. I have actually at the moment no recollection of that conference. I have seen a list which purports to be a list of sponsors of this meeting. It is a long list. I have very little recollection about it. My recollection is that it was a meeting called to consider certain bills then pending before Congress in regard to aliens, so-called antialien bills pending in the Congress.

I didn't attend that meeting. I understand—I know—my name is on the list, at least as it is reproduced, and I am willing to assume that I consented to have it put on that list. I can vaguely remember some of the matters which were under discussion at that time in connection with the legislation. My recollection is that some of the bills which were then before the Congress were amended before they were enacted by the Congress. I do not recall the particular details of the bills at this time which attracted my interest, or whether those were the provisions which were rejected or accepted by the Congress in the enactment of this legislation.

Senator HICKENLOOPER. I take it you are aware, then, that this organization has been declared a Communist-front organization by the House Un-American Activities Committee.

Ambassador JESSUP. I am not informed, sir, as to whether, at the time this meeting was held, it had been publicly proclaimed a subversive organization or whether the later finding was a finding that at the time of this meeting it was subversive. I certainly had no knowledge at the time that it was subversive, if that was the case. I don't know whether it was or not.

Senator HICKENLOOPER. Were you a sponsor of the organization which you mentioned a while ago, the National Emergency Council for Democratic Rights, in the early part of 1940?

Ambassador JESSUP. So far as I know I was not individually a sponsor of that. I find my name is listed there. Whether they continued the list of the people who were sponsors of that meeting which we have just discussed or otherwise I don't recall. I don't recall the organization or any participation in it.

Senator HICKENLOOPER. I do not have the exact date, but I believe that has been listed as a Communist-front organization by the House Committee on Un-American Activities.

Ambassador JESSUP. I believe that was later. I would be glad to put into the record, if you wish, Mr. Chairman, a complete list of the sponsors. They are contained in the volume, Investigation of Un-American Propaganda Activities in the United States; Special Committee on Un-American Activities, House of Representatives, on page 1210.

Senator TYDINGS. Go ahead and put it in.

(The list referred to is as follows:)

Honorary chairman:

Prof. Franz Boas

Executive committee:

Alfred K. Stern, chairman

Daniel S. Gilmor, treasurer

Bertha Josselyn Foss, secretary

Samuel L. M. Barlow

Mrs. W. Russell Bowle

Oliver La Farge

George Marshall

Jeanne Ratner

Donald Ogden Stewart

Oswald Garrison Villard

J. Raymond Walsh

Board of sponsors:

Louis Adamic

Prof. Josephine T. Adams

Mary McLeod Bethune

Katherine Devereux Blake

Van Wyck Brooks

May M. Colum

Prof. Albert Sprague Coolidge

Virginius Dabney

Prof. Jerome Davis

Prof. Paul Douglas

Dr. Haven Emerson

Prof. Henry Pratt Fairchild

Prof. Irving Fisher

Oamond K. Franekel

Prof. Walter Gellhorn

Margaret Halsey

Dr. Alice Hamilton

Hon. Stanley M. Isaacs

Prof. Philip C. Jessup

Hon. Paul J. Kern

Prof. William H. Kilpatrick

Frieda Kirchwey

Mrs. William S. Ladd

Prof. Max Lerner

Johanna M. Lindlof

Prof. Robert Morss Lovett

Prof. Robert Lynd

Carey McWilliams

Prof. Clyde R. Miller

Mischa Mischakoff

Bishop Walter Mitchell

Prof. Wesley O. Mitchell

Bishop Edward L. Parsons

Williams Pickens

Rev. A. Clayton Powell

Jeanne Ratner

Bertha C. Reynolds

Wallingford Relger

Prof. Margaret Schlauch

George Seldes

Prof. Harlow Shapley

George Soule

Maxwell S. Stewart

Hon. Robert K. Straus

Prof. Harold C. Urey

Prof. Oswald Veblen

Elizabeth Bacon Walling

Senator HICKENLOOPER. Mr. Chairman, again with the statement that had I been able to see the files in this case I might not have asked the questions I did ask, or I might have asked me, I must say that I consider this is an utterly inadequate examination even from the standpoint of the questions asked or the questions that might not have been asked if a full foundation of this matter could be laid, and I again suggest that we cannot investigate these matters with fairness to the witness or fairness to this committee until the files, and especially the files of these nine publicly mentioned cases, are available for free and complete examination by the members of this committee.

Senator TYDINGS. The chairman will lay before the committee the full files as soon as he can get them. In the meantime the charges were made without access to the files, and rather than let people labor under these accusations without a chance to appear and answer them, we have given each one who has so far requested, demanded, or insisted upon a hearing the chance to come publicly in the same manner that the accusations were made and answer them.

However, the chairman will pursue his pursuit of the files with some optimism and hopes that he will soon have them available, but he does appreciate the difficulties in the way and he is trying to get the files by cooperation. In the event that a subpoena was issued at this or some later period in the proceedings, it is the fear of the chairman it will block the access to the files by the committee, and therefore what he wants is the files and is proceeding in the best way he knows how to get them.

Senator HICKENLOOPER. I just want to say that it is entirely possible and probable that when full information is available there will be other questions, and I hope that the witness will be available.

Senator TYDINGS. Maybe some of the charges might also be withdrawn when we have full access to the files.

Senator GREEN. Most unlikely.

Senator TYDINGS. I have two letters, addressed to Dr. Jessup but sent to me, which I should like to read into the record. They are short:

MY DEAR JESSUP: I am shocked and distressed by the attack on your integrity as a public servant.

Throughout your intimate service with me while I was Secretary of State you were clearly outstanding as a representative of the Government both as to your masterful presentations and the firmness of your opposition to all Soviet or Communist attacks or pressures. This was conspicuously the case during your handling on the Security Council of the Berlin blockade issue.

Both the Under Secretary, Mr. Lovett, and I counted you as a great source of strength to the State Department during those critical days.

Faithfully yours,

G. C. MARSHALL.

The second letter:

MY DEAR JESSUP: I am writing to tell you how much your university deplores the association of your name with the current loyalty investigation in the United States Senate.

Your long and distinguished record as a scholar and a public servant has won for you the respect of your colleagues and of the American people as well. No one who has known you can for a moment question the depth or sincerity of your devotion to the principles of Americanism. Your university associates and I are confident that any impression to the contrary will be quickly dispelled as the facts become known.

Sincerely,

DWIGHT D. EISENHOWER.

Ambassador JESSUP. Thank you.

Senator TYDINGS. Senator Green?

Senator GREEN. Dr. Jessup, in the first place let me congratulate you on the way you have so thoroughly cleared whatever charges, so-called, have been made against you.

Ambassador JESSUP. Thank you.

Senator GREEN. There occurred to me as you testified two thoughts. One is, how fortunate you are that you are able to do this thing so easily from the high level of your reputation and friends who are glad to come to your assistance. What would have happened to you when you were unknown instead of known, if you had tried to recover from a similar charge? You would have had a shattered reputation under those circumstances. It is appalling, the harm that would have been done and the harm that may be done to younger men in the service under similar circumstances.

The other matter is this: The terrible effect on the success of our foreign policies when confidence in the State Department is shattered. You spoke briefly on that. I wish you would elaborate, if you will, a little on what effect this particular hearing or this particular series of hearings has on the success of our foreign policy abroad, or may have.

Senator HICKENLOOPER. May I just at that point suggest that I am not objecting to that question. I think it is a perfectly proper question for the Senator to ask, but he objected strenuously to my asking questions which did not go to the question of loyalty, in his words.

Senator GREEN. I did not object. The chairman stated I objected. All I wanted to know was the grounds on which the questions were asked, and you explained it was based on a portion of his statement. All I am asking him now is to elaborate what he stated too briefly in his original statement.

Senator TYDINGS. Senator Green is correct. The chairman put those words in his mouth.

Senator HICKENLOOPER. I think it is a very proper question to ask the witness.

Senator TYDINGS. Everybody agrees it is a proper question. The witness will proceed with his answer.

Ambassador JESSUP. Senator, one point which I tried to bring out in my statement was this, that when you have representatives of the United States making public statements or official statements to officials of other governments in regard to the questions which are now at issue in the international scene, particularly between the Soviet Union and the United States, it is obviously of the utmost importance that the officials of other governments and the world as a whole should have confidence that the official spokesmen of the United States are persons who are trusted by their Government.

Now I have found, sir, in the course of my trip through the Asian countries, that as you get particular items of news carried from the United States and perhaps reproduced only in the local papers throughout 15 or 17 countries of Asia that locally they do not always distinguish between the statements which are officially made on behalf of the United States in foreign policy by the Secretary of State and statements which are made by other persons in high positions in the American Government. And frequently the effect on the people

in these other countries is to get an impression which I think is a wrong impression, that the United States is not united in its policy of combating international communism and the imperialism of the Soviet Union.

It seems to me, as I tried to point out in my statement, Senator Green, that it is so important at this very serious juncture in international affairs that the United States should speak with one voice, and that we should make it perfectly clear not only to the governments of other countries to whom you can privately explain one thing and another but to all the peoples in all the other countries of the world that the United States is a country which wholeheartedly supports the policy which has been enunciated officially on our behalf.

For example, in this particular connection, I refer to the statement by the Secretary of State in his recent speech at the University of California.

I am not suggesting, Senator, that in our system of government we want in any way to emulate the Soviet system, which makes it impossible for anyone to disagree with the government and live. We are proud of our system which permits individuals to differ. But I suggest in the context that we are discussing that it is a matter of the utmost seriousness and a matter which does affect the success of the international policies of the United States if the qualifications and the integrity of the persons selected, confirmed by the Senate, to represent the United States in these negotiations, are called into question.

And that is why I have tried to stress, sir, my feeling that it is important that these insinuations and charges should be cleared up.

Senator GREEN. Thank you.

Senator TYDINGS. Senator McMahon?

Senator McMAHON. Dr. Jessup, I am proud to have you as a constituent of mine.

Ambassador JESSUP. Thank you, sir.

Senator McMAHON. And I am delighted that you are a fellow citizen of the State of Connecticut. I am also happy that we have you to represent us in the United Nations. I think that you are entitled to the thanks of all of our people for the magnificent work which you have done and to which General Marshall and General Eisenhower have paid tribute. I join with them.

Ambassador JESSUP. Thank you very much, Senator.

Senator HICKENLOOPER. Mr. Chairman, just one question.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. It is generated as a result of the answer to Senator Green's question.

You said, Dr. Jessup, that people in the Orient, for instance, might look askance at disputes in this country and say we were not united. I wonder what the people in the Orient think when they find that Russian communism has apparently gained by either diplomacy or something else what it probably could not have gained by war at this time; in other times, the complete dominion of China, all China. In other words, do the people of the Orient believe that we, by such a policy, are approving the Communist capture of China?

Ambassador JESSUP. No; certainly not.

Senator HICKENLOOPER. You said that certainly that would be very fatal to our prestige, certainly among those in China who do not believe in communism.

Ambassador JESSUP. I would like to point out, Senator, that there are always stages in international affairs in which the scales go up and down. There were stages during the war at which it appeared to the people of Asia that we were licked and that Japan was the master of Asia, and they were wrong. There were momentary successes of the Japanese forces and the people of Asia were wrong in thinking that that meant that the United States was licked. If anybody now thinks that at the present juncture of international affairs the United States is licked, they are wrong again.

Senator HICKENLOOPER. I may suggest that during the period when Japan was in the ascendancy there was still a fighting Nationalist Chinese group there that gave physical and visible evidence of resistance to communism. The situation, so far as I have been able to find out, seems to be quite different now; even with our own declarations communism has been extremely successful in China. It has driven the Nationalist Chinese Government over to Formosa—what is left of it—and with our policy declarations that we are pulling out our support, there seems to be no physical evidence in China upon which those who dislike communism and oppose it have the least peg to hang their hats on.

Ambassador JESSUP. Mr. Chairman, if I may, I would like to suggest that I hope to have an opportunity to discuss with the full Committee on Foreign Relations the results of my trip and the information which I gathered at that time. I think it would perhaps be more appropriate if I went into these details of the situation on that occasion, if that is in accordance with the wishes of the subcommittee.

Senator HICKENLOOPER. I do not care to continue discussing high policy at this time. I only asked those questions—

Senator TYDINGS. I am sure Senator Connally, of the Foreign Relations Committee, who is here, will seize the first available opportunity to call the committee together so it may hear you, Dr. Jessup. I know him well enough to assume that that is so, because he is always very diligent in bringing information before the committee from those who are well informed.

The CHAIRMAN (Senator Connally). I apologize for the interruption. We have that in mind. We were waiting, however, somewhat the convenience of Dr. Jessup. We decided he probably would not want to appear before the full committee until he had met these serious charges, or so-called charges, whatever they are. So we have not approached him about a time when it will be convenient, but we hope you will hold yourself in readiness. We are very anxious to have you before us and have a full exposition of developments in your trip abroad.

Senator TYDINGS. Do not leave the room, committee members, for a moment, because there is no scheduled meeting at present for the committee, but I may want to get in touch with you this afternoon in the light of information I hope to get sometime during the day and arrange for a meeting.

In the meantime, Dr. Jessup, I can always reach you, I suppose, through the State Department.

Ambassador JESSUP. Yes, sir.

Senator TYDINGS. Do you intend to be here for a few days?

Ambassador JESSUP. Yes, sir.

Senator TYDINGS. Those members of the press who have requested me to get copies of the two letters that were put in the record, if they will come forward I will read them to them now.

The meeting will stand adjourned subject to the call of the Chair.
(Whereupon, at 1 p. m., the hearing was adjourned, to resume upon the call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, MARCH 21, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met, pursuant to call at 2:30 p. m. in room G-23, United States Capitol, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, and Hickenlooper.

Also present: Senator McCarthy.

Senator TYDINGS. This meeting has been called by the chairman, after conferring with Senator McCarthy, so that Senator McCarthy might give to the committee the name of the very important person in the State Department concerning whom he desired to give the committee information, and Senator McCarthy is here and ready to proceed.

Senator McCARTHY. There is nothing mysterious about this one. This is the case of Owen Lattimore. This has all been put in the record already, plus some exhibits.

You understand when I talk about what you will find in the files, this is to the best of my knowledge.

Senator TYDINGS. That is right.

Now, particularly, you are meaning the loyalty file in this matter?

Senator McCARTHY. I don't know what part of this you will find in the loyalty file.

Senator TYDINGS. How about the Civil Service file?

Senator McCARTHY. I understand that the Civil Service Commission has in its file what ultimately goes in the loyalty file. The benefit of getting the Civil Services file as well as the State Department loyalty file is largely because in that way you have some check as to what is in the State Department loyalty file.

I might say on that, even assuming that there is no attempt to rifle the State Department loyalty files, assuming they are protecting them as fully as they can, the system of filing them is such that it is entirely possible that you will find many things missing from the loyalty file which are in the Civil Service Commission file, but actually there should be the same material in the State Department loyalty file that is in the Civil Service file.

To get to this fellow Lattimore, for Lattimore's stuff I think you will have to rely quite largely upon the FBI file.

Senator McMAHON. Have you contacted Hoover? Is Hoover in favor of displaying the FBI files?

Senator McCARTHY. I wouldn't know.

(Discussion of Mr. Lattimore was continued off the record.)

Senator TYDINGS. It appears that he was once an adviser of Chiang Kai-shek. Then, when last year the State Department "white paper" was written it actively reflected the thinking of Mr. Lattimore. In the Atlantic Monthly, Mr. Lattimore wrote, "Sound policy would avoid premature excessive strategic development in the Far East." Again, "United States policy should aim to increase the ability of countries in Asia to do without Russia." Again, "For the problem of recognition of the new Government of China, the United Nations offers the ideal avenue to a solution. If a majority of the non-Communist countries in Europe, Latin America and Asia should vote to seat the new Chinese representative (meaning Communist) to the United Nations, the United States should not vote against that verdict," and so on and so on.

That is from the New York World-Telegram and Sun of the 15th of March 1950.

Senator McCARTHY. That gives you some of his background.

He has also written a considerable amount. In case you care to get some of his writings, he wrote a book, Solution In Asia. I haven't read it at all. I have a few excerpts from it. He wrote for Pacific Affairs. But this is entirely separate and apart from his writings. As I say, when I give you this information it is to the best of my knowledge, and I am absolutely confident that this is the case that you really should find—well, it's explosive. If you crack this case it will be the biggest espionage case in the history of this country. That is my own personal thought on it.

He has been over in Baltimore, as you know, with Johns Hopkins. I don't know when he has been on the payroll of the State Department. I understand that he has very free access to a desk there and access to all the files, and comes in whenever he cares to.

Jessup has had a very close relationship with Lattimore. I personally think that Jessup does not have the slightest conception of what Lattimore is doing. I think that Jessup thinks that Lattimore is a liberal individual who feels perhaps that Communist Russia is more accurate than most of us feel Russia is. Beyond that I don't have anything that indicates that Jessup has the picture of Lattimore's activities, but I do think the files will show you that Lattimore has been using Jessup to do the things which he, Lattimore, himself couldn't do.

Lattimore is now, as I understand, over in the Khyber Pass. As I say, on this your information will be a lot more accurate than mine. I do not think he is on the payroll of the Department of State or any Government agency. I understand that he was invited over by the Afghanistan Government. Khyber Pass, as you know, is the one route from Russia over to the new area. What he is doing there I don't know. I do not think the files will show anything as of now definitely of what he is doing, because any information they will get on that will be after a considerable lapse of time.

That is about the entire picture, that his files—the FBI files—I think will just give you the one case.

Senator McMAHON. Have you seen the FBI files.

Senator McCARTHY. I think I know what is in them.

Senator McMAHON. That is not the question. Have you seen them?

Senator McCARTHY. I will tell you, Senator McMahon, do not worry about whether I have seen them or not.

Senator McMAHON. I am worried. You will either answer or you will not. You have or you have not.

Senator TYDINGS. Nobody is going to ask for your sources.

Senator McCARTHY. Senator McMahon, let me tell you this.

Senator McMAHON. Do not tell me anything. I am not interested in a single thing. That technique you have is not going to work on me. If you cannot answer the question, that you have or you have not, then I am not interested in anything else you are going to say. That is the question: Have you seen the FBI file or have you not?

Senator McCARTHY. I heard your question.

Senator TYDINGS. Let me say this—

Senator McMAHON. You refuse to answer?

Senator McCARTHY. No; I don't refuse to answer.

Senator TYDINGS. We do not want to know your sources. But what I think we are entitled to know is, is this a speculation or have you had some contact with the files in one way or another that makes you think you have some accurate information?

Senator McCARTHY. I am about as certain as I could be of anything as to what those files will show. As to whether I have seen them, who might have helped me get information, or things like that—

Senator TYDINGS. I do not want to know that.

Senator McCARTHY. I know you do not.

Senator McMAHON. Let me point out that that is a very material question. I want to make my question clear. We have not had any decision from the executive department as to whether we are going to see the FBI files. If the Senator from Wisconsin is permitted the FBI files, then I do not know why this committee should not be permitted to see the FBI files.

Senator TYDINGS. I would rather think, from what he has already said, that he has talked with somebody who has seen the files in whom he has confidence. I think it would help our investigation, and I have no ulterior purpose to serve except frankness and honesty as far as it is possible, and I assure you it comes from the heart: I think you might say, "I haven't personally seen the files, but I know a man who has seen the files whose name I won't disclose, in which I have confidence, who tells me this and that and the other thing is in the files." In other words, it will help us in our investigation if you will testify along that line.

Senator McCARTHY. I think that is a very reasonable request, and I might say that I have not seen the original FBI files.

Senator McMAHON. The original FBI files. Have you seen a copy of them?

Senator McCARTHY. I think, Senator, whether I have seen a copy or not, not having seen the original I would have no way of knowing whether I saw a copy unless I compared it with the original.

Senator TYDINGS. Have you seen what purports to be a copy, or have you got your evidence from somebody who has seen the files? That is all.

Senator McCARTHY. Let me say this. To the best of my knowledge, and I think it is good, I think it has been proven so far in dates and places that I have been giving the committee, the FBI file will show in detail not the case merely of a man who happens to favor Russia, not the case of a man who may disagree with what we think about Russia, but a man who is definitely an espionage agent.

Senator McMAHON. See how he goes away from the question?

Senator TYDINGS. He has tried to answer it. Let me say this. He has said this: He has said he has not seen the files, but he said if we saw the files he has reason to believe that this, that, and the other thing he is going to outline would be in the files. I would like him to say that. I do not want him to give away anything; I do not want him to name anybody; I do not want to know his sources and do not want him to do any of that.

Senator McMAHON. Neither do I.

Senator TYDINGS. But I would like to know if you have seen what purports to be a copy of the file or whether someone in whom you have confidence has seen the file and the following things are likely to turn up there. That is all.

Senator McCARTHY. I know this—

Senator TYDINGS. I cannot see where there is any harm in answering that question.

Senator McCARTHY. It is the source of my information. If divulging that would actually aid in getting at the facts in the Lattimore case you would have it.

Senator TYDINGS. I will not ask you for the source.

Senator McCARTHY. I will stretch a point a long way if the committee thinks information will be of benefit. Even though I do not think so, I will go as far as I can in getting the information. But where we have something that clearly, in my opinion, will be of no benefit to the committee in arriving at the facts, then I just think it is a waste of time to go into those things.

Senator TYDINGS. Listen; I do not want to get your sources, and I will never ask you intentionally to disclose any of the sources that fortify you in what you want to say.

Senator McCARTHY. I appreciate that.

Senator TYDINGS. I do not want to know it by indirection; I do not want to put anybody on the trail to find out. I am not interested in that.

Senator McMAHON. Let me add that I feel the same way.

Senator TYDINGS. But I am interested in knowing whether or not you have seen a copy of the files or whether or not somebody told you what was in the files, simply as a means of weighing the credence of what you say. That is not going to stop us from looking at any files we can get hold of. Do you understand me?

But suppose I get hold of the files after this hearing and find nothing in them, just to illustrate. I would want to ask why certain papers are not in those files. Do you see my point?

Senator McCARTHY. I do; yes.

Let me say this, and I am certainly not trying to avoid your question. I do not know if you have had any experience with the FBI

files or not. They are serialized and numbered. You could take things out of those files. It would be extremely difficult.

In the Kansas City case, which was not made public, I do not believe, some of the FBI files were obtained, and it did appear that a sizable number of documents had been removed. But the staff apparently—Flanagan and Rogers, I believe, were on the staff—had no difficulty at all detecting the number of documents that were removed. I think fortunately we did nothing about that publicly.

I was giving a picture of the files. As I recall, the evidence was that Hoover did not know anything about any removals, and such like. I merely mention that to show you if you get those files I do not think you will have any trouble at all knowing what is in them.

I have not talked to Hoover about this. If I did, I do not suppose he would give me the information.

Senator TYDINGS. I haven't either.

Senator McCARTHY. I think if, as chairman of this committee, you take this testimony over to him and say "Is this substantially true?" with the respect I have for Hoover I am sure he won't lie to you.

I want to make it very clear that Mr. Hoover has not given me any information himself of any kind from the files.

Senator TYDINGS. I know that.

All that I am asking you is this. I do not want to know the source. I would appreciate it if you would tell me whether or not you have seen—and it is not difficult to see a great many documents that are secret—what purports to be a copy of the files. You have said, I know, you have not seen the files; or whether someone in whom you have confidence has said, "I believe you will find this stuff in the files." That is all I want to know, just "yes" or "no," and you can go on with your story. There can't be any harm done by that question. It does not say who told you. I don't want to know that. I just would like to know the method.

Senator McCARTHY. I hope you don't push that question. You ask that question; the next question, of course, if I were questioning and if I did want to find out what the sources were, would be "Have you seen a photostat?" Then, "How large a document was it?"

Senator TYDINGS. I will not ask you any of those questions.

Senator McCARTHY. Anything that I would give you I think would tend to disclose the source of my information. I do not think the committee should ask for that.

Senator HICKENLOOPER. Mr. Chairman, I would like to ask Senator McCarthy this question: Are the sources of your information which you have alleged here with regard to Mr. Lattimore and what is contained in his file, in your opinion and judgment, of sufficient reliability so that you rely upon them utterly and sincerely in basing your allegations?

Senator McCARTHY. That's right, and I am absolutely convinced beyond any doubt that if the committee sees that file they will agree with me wholeheartedly that I have perhaps understated the case rather than overstated it.

Senator Tydings, I am as sincere as any man can be in this case. This man is the top of the whole ring of which Hiss was a part. I think you will find this: I think you will find that Stephen Brunauer—and as I say I do not have the definiteness about this that I have about the others—is tied up with that ring, and the No. 1 case that I

gave you, Herbert Fierst. That was the No. 1 case of the 81. He, incidentally, was post-audited by the Civil Service Commission the same as Service, and they sent it back to the State Department, I understand—the State Department Loyalty Board. Just what they requested I don't know, but they expressed dissatisfaction, and I understand the State Department Loyalty Board shortly after marked the case "Closed."

As I say, I do not feel my source of information on this is as reliable as the stuff on Lattimore. I believe, however, that you will undoubtedly find that Fierst and Brunauer are tied up with Lattimore in this case.

Senator McMAHON. Can I ask a question: You apparently thought what I was trying to do was to get your source, in which I am not interested at all. I wish to point out to you that if the files are open to you as a Senator, as apparently they must be, because you tell us what is in the FBI files, it is very material for us to know that in making our request for a look at the same files, because if they are going to be opened to Senator McCarthy they certainly ought to be open to a Senate committee. So much for that.

Now let me ask you this question about Lattimore:

Senator TYDINGS. Before you leave that, I want to serve notice here on every man in this committee, and in your presence, that I am going to do everything that I can do to get every file that is requested. The reason I am proceeding as I am is that the precedents show clearly that if I issue a subpoena they can turn it down and there is nothing I can do about it. What I want to do is get the files. Anything that you can say or do that puts me in a position to get those files is going to help you to prove your case, assuming that these facts as you allege them are true.

Now, if you do not give me something to go on, if I want to go to Hoover and show him this testimony, if I say "I want you to read this," I want to ask you if you can devise a way where I can verify this or not. Unfortunately Mr. Hoover, for this hearing, has taken the position, so I am well advised although I have not talked with him, that the minute he ever discloses one of the FBI files in the future if he goes to somebody for an interview about John Smith, the person, knowing that the files were subsequently opened, is going to refuse to be as frank with him as he would otherwise be, and he is scared of it.

I understand by the grapevine—I have nothing from the White House and nothing from any source except general gossip—that Hoover is protesting against the opening of any of these files, because FBI reports are in the loyalty files.

Senator McMAHON. But Mr. Hoover certainly will have to recognize—

Senator TYDINGS. Hoover is no softy, and he isn't going to do this unless we can show him a particular circumstance that will justify him in making an exception. Mark my words!

Senator McMAHON. But mark my words on this: If Mr. Hoover's files are going to be divulged to Senator McCarthy, and by him the contents of them to the press, then certainly the reason why we should not get them falls to the ground, because the Senator has made this charge against Lattimore. True, he did not attach his

name to it last night, but he has made this charge. He has made it on the basis of the FBI files.

Now, so long as a charge has been made on the basis of the files, I don't see how they are going to keep that FBI file away from us. Therefore it is very material to find out whether the Senator from Wisconsin actually did have access to those files.

Now, whether he physically had the file in his office or in his hands does not make a bit of difference. But did somebody read the file, somebody in a position of trust in the FBI, and give it to the Senator, or did he show him copies of the files?

That is why I thought it was very material to us to know the answer to that question.

Senator TYDINGS. I agree with you.

Senator McMAHON. I would like to ask the Senator one further question right along that point.

Senator, in all of this information regarding Lattimore, which you say is so patent, which demonstrates him to be a bad egg, is there anything in your information to indicate that the Federal Bureau of Investigation turned over his case to any district attorney or to the Attorney General or to the Assistant Attorney General for prosecution?

Senator McCARTHY. I frankly do not know what the top men of the Department think on the subject of whether or not the case is ready for criminal action. I know this. I know that there are some who are aware of at least some of the facts—at least this is my best information—who feel that the case is ready for prosecution. I think you will find some in the Department who feel that the evidence is gotten in such a fashion that while it proves the guilt, it may not be in such shape that it could be presented in court.

Senator TYDINGS. The answer is "No," that you do not know it has been turned over to anybody for prosecution up to now?

Senator McCARTHY. Here is my thought on that, and I do not know too much about the procedure. I do not believe that they ever turn a case over. I think it is discussed with the Justice Department and somebody in Justice who is interested is kept apprised of the facts as they develop, and I believe that the attorneys over in Justice, in the Justice Department, are the ones who decide when they will take the case and start prosecution.

Senator McMAHON. That is not entirely true. It is sort of a mixed question. I mean by that that it is a mixed decision. It is true that in some cases the daily reports or weekly reports go forward to the Criminal Division. In other cases, according to my memory—of course this is 10 years ago or more—they go through as they finish a case.

The Justice Department, at least while I was there, did not undertake a prosecution unless the investigative department said "We have completed the investigation and we are through. In other words, we have done all we can."

If you did not have that system in force you would find that you would be springing cases with only half of the case being investigated, springing them publicly, and I think it is very material to me to know, you see, and very important to know, whether this case has been turned over to the Criminal Division by the FBI as a completed

matter, or whether it is still in process between the Division and the FBI.

Senator TYDINGS. That would be a matter of record, and all you are asking Senator McCarthy is, Does he know whether or not the matter has been put in the hands of the Department of Justice or any branch thereof for prosecution, and I take it from his answer that so far as he is advised, he does not know.

Senator McCARTHY. That is correct.

Senator McMAHON. You do not charge any dereliction in the prosecution forces of the Department? Do you charge any dereliction, from your present knowledge of the case, in the nonprosecution of the case?

Senator McCARTHY. The answer to that is "No," for the reason that I do not know what the men in charge consider sufficient evidence to prosecute. One of the reasons why I wanted to take this in executive session is that it is entirely possible when you talk to Mr. Hoover or someone you may find that they feel they have a case that they could prosecute but they want this man, for all I know, left in the Department so they can follow up other leads.

Senator McMAHON. You see, that is very important to our investigation, to know whether there is any charge—

(Discussion was continued off the record.)

Senator TYDINGS. What we want to know is this: Why do you think, in addition to what you have told us, that this man Lattimore is a bad fellow and the head of a spy ring, and so on? What makes you think that yourself?

Senator McCARTHY. I think this:

(Discussion was continued off the record.)

Senator GREEN. I have been trying to listen and find out, but I have not yet found out, what the charge is.

Senator McCARTHY. I think he is one of the top espionage agents. This man, I think, is one of the top espionage agents. If it is necessary—it may be, under your resolution—for you to charge him with being that, I will be glad to do it. In my opinion he is, and I don't know what kind of charge I should make, but I will be glad to make any charge that is necessary.

I am very serious about this. One of the reasons I hope you get this file is that I think it will dispel in the minds of some of the members of the committee this feeling: Some of them, I believe, have had the honest feeling that this was being done for political purposes. I think if I did not bring this forth I would be completely derelict in my duty, and I think after you see this case then we will be able to sit down and just man-to-man across the table discuss the other cases a lot more freely. In other words, if you get this, this will prove that I am completely wrong or it will prove I am 100 percent right. If it proves I am 100 percent right, I know in your mind no longer will there be any suspicion, as I think you have had that and most likely honestly so, that this was being done for political purposes. If you find I am right about Lattimore, then I think that a lot of the suspicion we have had flowing back and forth in this committee will be completely dispelled and I think we can go ahead and do a good job.

Senator TYDINGS. You think Lattimore is one of the biggest?

Senator McCARTHY. By far and away.

Senator GREEN. What do you claim he has done to show that? Why do you think so?

Senator McCARTHY. I think he is the top Russian spy.

Senator GREEN. Why do you think so? I thought you were going to give us some evidence.

Senator TYDINGS. Let me just say this—

Senator GREEN. If you do not want me to pursue my question, I will leave.

Senator McCARTHY. Because I think the files will show he has been contacting and giving material to Russian espionage agents as part of an espionage ring.

Senator GREEN. I want to know if that is anything more than a suspicion on your part.

Senator McCARTHY. There is a firm conviction from all of the information that I can get that that will be in the files. If, when you get that file, it is not there, you will know that there is not too much to my claim.

Senator GREEN. You suspect that there is information in the file, but you do not know what, which shall sustain your belief?

Senator McCARTHY. No; that is not right, Senator.

Senator GREEN. Correct me. I am trying to find out what you really mean.

Senator McCARTHY. I do not suspect. I am firmly convinced that I know that the Lattimore file, the FBI file, will convince you the same way I am now convinced, that you are dealing with the top espionage agent.

Senator GREEN. Have you any facts that convince you of that?

Senator McCARTHY. Yes; I think you will find in that file—

Senator GREEN. They are in your mind, too; aren't they, now?

Senator McCARTHY. I am giving you the benefit of all my investigation.

Senator GREEN. Yes, but you are just giving me the conclusions. Your conclusions must be based on certain facts that have been brought to your attention, and I was wondering whether you were going to give us those facts.

Senator McCARTHY. I am trying to give them to you. Can we have an agreement that I can complete my answer before I am interrupted?

(The reporter reread the pending question.)

Senator McCARTHY. The fact is that to the best of my knowledge the file will show the complete workings of an espionage ring. That is the best I can give you, Senator. I have not been able to run down all the vast amount of work that the Government investigative agencies have been doing. I am telling you that this is the one case in which I think we can easily have a determination by this committee as to whether or not my charges are well-founded or not. I think for the balance of the investigation you should know that. If I am completely mistaken on this case, then you can assume that many of the other cases—

Senator TYDINGS. This is the key?

Senator McCARTHY. Yes, sir; and when you see that file, Senator Green, I am sure that you will agree with me wholeheartedly.

Senator GREEN. Let me ask the question again in another way. Have you any evidence that produces conviction in your mind that he delivered confidential papers to an enemy?

Senator McCARTHY. I frankly cannot even come remotely complete in giving you the case you would have in the file. I think you have simply got to get that file. I don't think I can give you enough material to make out a criminal case with the investigation I have. All I can tell you, Senator, is what, to the best of my knowledge, is in those files.

Senator GREEN. If that is all, it seems to me that my designation of it as suspicion is in your mind a conviction. It seems to me you must have some facts upon which to base it.

Senator McCARTHY. You might call it a suspicion; I call it a conviction. We have a different name for it, apparently.

Senator TYDINGS. What I get out of it is this: That you have a conviction, based on certain things that you have seen or heard, which lead you to the conclusion that if these files are examined, evidence will be found to show that this man is the keyman in a Russian espionage ring.

Senator McMAHON. He is a traitor.

Senator McCARTHY. That is putting it pretty well. I think he is.

Senator TYDINGS. Furthermore, I get this out of the combined colloquy that has gone on, that without disclosing how you have that conviction, information has come to you which leads you to that conclusion.

The next thing I get out of it is that the information has come to you in a way you do not care to disclose—information which supports the position that you have taken.

Senator McCARTHY. Yes.

Senator TYDINGS. The next thing I get out of it is that you yourself said you have not seen the files, which I would assume to be true without asking you, but that in other ways you have received information as to what is likely to be found in the files.

Senator McCARTHY. I have not seen the files.

Senator TYDINGS. But in other ways you have formed your opinion from information that you think will be in the files.

Senator McCARTHY. From all the information I can possibly get.

Senator TYDINGS. Have you any questions, Senator Hickenlooper?

Senator HICKENLOOPER. No.

Senator TYDINGS. Senator McMahon?

Senator McMAHON. I think it is exceedingly important that we develop, in view of what Senator McCarthy says, whether or not, in addition to there being a traitor in the Government, there has been laxity in rooting out this traitor, and therefore I wish to develop in the questions I now ask, if I can develop, whether or not the Senator, from his information, thinks that in addition to the traitor being there there has been dereliction of duty in bringing him to light. What is your conclusion on that, Senator?

Senator McCARTHY. Senator McMahon, I am not evading your question. First, we start at the top. When you ask that question I say to myself, "Is Acheson derelict in his duty?" I do not know what part of these facts has been brought to his mind. I just frankly think that you will have to wait until you get the files and find out how much of that has been transmitted to State and how much has been transmitted to Justice.

Let me say this: In order to answer that question you would have to first know whether he is being used as a decoy at this time. I do not think he is, but that is possible.

No. 2, whether or not this is true: For all I know, the Attorney General may have said to State, "Keep him on. Let him use that desk, because if you deny him the desk he will know that we are after him."

I would say this: If he is not being used as a decoy—no; it is impossible to answer, Senator.

Senator McMAHON. In other words, you have not enough knowledge to make the further charge that there is dereliction of duty existing on some official's part?

Senator McCARTHY. I do not think I would be in a position to make any charge.

Senator McMAHON. That is all I want to find out. Let us find out where we are. That is a perfectly reasonable position for you to take. I have no quarrel with it at all.

Of course, as you say, there may be that explanation of it, assuming your substantive facts are correct. On the other hand, it may be that if your substantive facts are correct the failure to have done something about it is of direct concern to this committee.

Senator McCARTHY. I think we will get along a lot better, and you gentlemen will have a lot more confidence in what I tell you, after we get that file.

Senator GREEN. You mean that you can supplement the file and give us more information after the file is produced?

Senator McCARTHY. No. I think this: I think maybe in your mind you have a suspicion of these facts I am giving you. I think this will prove definitely how much weight you can place upon my testimony from now on.

Senator GREEN. You have additional testimony to give?

Senator McCARTHY. I might say this: I have a number of former FBI men working for me. We are trying to develop facts. Anything that is developed will be made available to the committee.

Senator GREEN. Have you now any information in addition to what you say we can get from the files?

Senator McCARTHY. Do you mean on Lattimore?

Senator GREEN. Yes.

Senator McCARTHY. I have been getting information about him for sometime, Senator. I brought the conclusions together and put them in this document. At that time you recall I asked to be further heard in executive session, because at that time I did not want to disclose the additional information which I gave here.

Senator GREEN. Are you willing to now?

Senator McCARTHY. I think you have everything that will be of value to the committee. I do not think there is anything additional that I can give you.

Senator GREEN. You have not given us any information about his misdoings.

Senator McCARTHY. Take that along with you and read it. I gave you all that.

Senator GREEN. When?

Senator McCARTHY. The other day in the hearing.

Senator GREEN. I don't understand.

Senator TYDINGS. He read the statement the other day in the hearing.

Senator GREEN. Oh, that. You have no additional facts?

Senator McCARTHY. There is nothing additional that I think would be of great value now. As any facts come to me in regard to this case or any of the cases that will be of benefit, I will certainly be glad to give them to the committee. After all, we are doing the same job here, Senator.

Senator GREEN. Certainly. From the way you expressed yourself, I thought you had additional information that you would give us after we had seen the files.

Senator HICKENLOOPER. Contrary to opinion, I am not concerned with the method or details at the moment of acquiring these files. I am concerned with the fact of acquiring the nine files that have already been mentioned publicly.

Senator TYDINGS. I am trying to get them.

Senator HICKENLOOPER. I am not concerned at this moment whether we got them by subpoena or otherwise. The important thing to me is to get our people to have access to the files, and I think that this committee is in a position to have sometime since made a formal request. So far as I know, this committee has made no request.

Senator TYDINGS. I took for granted you would want the chairman to do it.

Senator HICKENLOOPER. I am not criticizing what the chairman has done. That is not the point. I am saying so, so far as I know, there has been no formal action of this committee even requesting these files.

Senator TYDINGS. I have done this. I have said the committee wants these files. Senator McCarthy wants these files. I have reason to believe that the President wants to give us the files. I likewise have reason to believe that the State Department wants to give us the files. I likewise have reason to believe that Mr. Hoover and Attorney General Howard McGrath probably are concerned about this question of opening the files for fear of its effect on future investigations, but I have said: "I don't care what McGrath wants or what Hoover wants, I want those files."

Well, the State Department says: "We want to give them to you. We are trying to work out a procedure whereby we can give them to you. We have to communicate with the Executive."

They had hoped to give them to me on Monday. I did not get them on Monday, and I am after them every day on the telephone, doing all I can. If I subpoena them I am going to make them all mad and won't get the files.

Assuming Senator McCarthy has a good case here, and he may have it for all I know, it is not going to be proven unless we can get hold of the files, because the evidence we have to rely on, as he himself admits, is the files.

Senator HICKENLOOPER. I have never demanded up to this point that the first move in the acquisition of files or the attempt to get them be by subpoena.

Senator TYDINGS. What do you want me to do?

Senator HICKENLOOPER. For the sake of the record and for the sake of procedure, I now move that this committee proceed first to request the delivery of all of the loyalty, personnel, and employment

files from the Department of State on the nine persons publicly named by Senator McCarthy; that we also request employment, security, personnel, and loyalty files, whatever they are, all the files, on the same individuals from the Civil Service Commission; and that they request from the Federal Bureau of Investigation or the Department of Justice, whoever has the authority, or both, the complete investigative files on these same nine individuals.

In making that motion I want to say that I do not say that the request should be exclusive. If we get turned down on that request, and I am not trying to push the chairman—

Senator TYDINGS. We will deal with it then, if we get turned down.

Senator HICKENLOOPER. I make this motion so there will be some formal action and sense of this committee, rather than just the chairman of the committee going out on his own on this business.

Senator TYDINGS. I think it is a good suggestion.

Senator HICKENLOOPER. Then I would like to suggest, as a part of that motion, that request be made immediately of those departments, and I want to make it clear that if we are turned down on any of those then I shall pursue it immediately with a motion to subp^ena, in the language of the resolution. I feel we have a duty to attempt to carry out the mandate of the resolution. Maybe your brief is right. I do not say that it is or it is not.

Senator TYDINGS. You want the State Department file, the Richardson file—I will call it that for short—and the F. B. I. file?

Senator HICKENLOOPER. That is right.

Senator TYDINGS. I shall draft, if I have time this afternoon, a formal letter, if the committee does not vote me down.

Senator GREEN. I think we ought to make a list. I think we ought to go through all the names that have been submitted and pick out those on whom we think there is reason to ask for the files. I would not limit it to the nine. I would go through all the list we have of names that have been submitted to us.

Senator TYDINGS. Would you amend that in line with his suggestion to instruct the chairman to ask for the files, or any part of the files—

Senator HICKENLOOPER. No; all of the files.

Senator TYDINGS. Would you allow me, instead of asking for the nine files, to ask for all of them?

Senator HICKENLOOPER. The sense of my motion is this, and the way I feel about it: I think that we are obligated to attempt to get the nine files that are publicly named.

Senator TYDINGS. Can I ask for all of them at one time and take the nine out and look at those first?

Senator HICKENLOOPER. I feel that we may have much more chance of getting them peacefully, the nine, rather than 80-some at this moment.

Senator TYDINGS. Then you do not want me to ask for any files except the nine?

Senator HICKENLOOPER. Yes; but I would like to have the nine separately.

Senator TYDINGS. I have already asked for them all, but I will now formally write a letter and particularly ask for the nine you have in mind.

Senator HICKENLOOPER. At this time.

Senator TYDINGS. Will you give me the list of those nine this afternoon in my office, at your earliest convenience, Senator McCarthy, so I will be sure to get the nine names you have in mind?

Senator GREEN. I do not think he is the only one to be sure as to these nine names and I do not see why there is objection to increasing that number to all those who have been named.

Senator HICKENLOOPER. If I may conclude, I will say I am putting the nine in one category for the reason that they have been publicly mentioned by name and they are apt to come and demand a hearing, and I think it is utterly futile to attempt to question a person without those files. Maybe after seeing the files there may not be a single question to ask of those individuals.

Senator TYDINGS. You want the files, do you not?

Senator HICKENLOOPER. Yes.

Senator TYDINGS. Here is the reason I asked for all of them: If we get permission to see these files, we will get it a whole lot easier if we can get them in all at one time than if I ask for four or five every day. That is just common sense, because there will be a precedent started the minute they give us the files, and they will want to know how many files you want and everything else, which seems simple here, but when I am on the other end of the thing with one man down there it is tough.

Senator, I told you in the beginning that I was going to exert every influence I had to get these files, and I tell you I am standing between not getting them now and getting them, more than anybody. If I go down and ask them for nine, it does not seem to me that they will want to give us nine and say "Come another day for nine" and "Come another day for another nine." If I ask for them all, to have them locked up in a room, we will then, when they are on the table, say "Let's pick out those nine and go through those first."

It may seem simple to say, "What difference does it make, to give you nine at one time?" It does make a difference. I am dealing with some people in the administration who are opposed as a matter of principle to turning over one of these files, and I have done the best job of salesmanship to get them of which I am capable.

Senator HICKENLOOPER. You understand that in no way am I resisting or opposing the acquisition of all the files.

Senator TYDINGS. If I get them all it is satisfactory to you?

Senator HICKENLOOPER. On all the lists that Senator McCarthy has listed. I have a feeling—this is just in executive meeting—that there may be a number of names on some of the longer lists that we may consider inconsequential or of no value to get and pursue. That may be true; I don't know. My thought is, we will get the nine, look at those, and then get the others.

Senator TYDINGS. You do not want it to go out to the press that we have only asked for nine files. I will have to say that I wanted them all, the Republicans wanted only nine, if they put me up against the wall. These fellows have ways of finding out things. Why not get them all, and we will agree right here and now that we will look at the nine first.

Senator McCARTHY. I think that is right.

Senator TYDINGS. If I go down for nine files they will say "What is going on?" These fellows will have it in the afternoon paper and

I will be put in the position of sitting out as the iron curtain in front of this investigation.

Senator McCARTHY. One of the files you want to get is the personnel file of Charles W. Thayer. He is one of the names. He was until several weeks ago in charge of the desk of the Voice of America in New York and he was, I understand, assigned to those two Russian fliers that were brought to this country. I think you will find letters from the FBI objecting to that because of his unnatural conduct.

Senator McMAHON. Do you mean to suggest he is a pervert?

Senator HICKENLOOPER. Entirely independently of anything Senator McCarthy says, or that stems from him at all, I have some independent information on Thayer which I believe to be accurate. It comes from a pretty high source, that he is a bad apple.

Senator TYDINGS. Why not make your motion to tell me to get the nine files?

Senator HICKENLOOPER. I move that the chairman be authorized and directed by the subcommittee to immediately request all of the security, loyalty, and personnel files of the State Department and of the Civil Service Commission and the FBI investigative files on, No. 1, the nine persons publicly mentioned by Senator McCarthy; No. 2, the list of 25 that he gave; No. 3, the list of 81, or whatever it is, that he has furnished to the subcommittee by delivery to the chairman.

Senator GREEN. Now I would like to ask a question. I have been trying to for some time. Does that include Dr. Jessup and Miss Kenyon?

Senator TYDINGS. Oh, yes.

Senator GREEN. Does it include all those names that have been submitted—

Senator TYDINGS. Everybody.

Senator GREEN. I haven't finished the sentence. Does it include all those names that have been submitted on whom no information whatever has been given?

Senator HICKENLOOPER. It includes those as a direct result of the request of the chairman.

Senator GREEN. If it does, I am opposed to that motion, and shall vote against it. I am not going to vote for asking for files on persons against whom there is no evidence whatever before this committee.

Senator HICKENLOOPER. I am caught between the chairman and my motion.

Senator TYDINGS. This boy started something and he wants to finish it. He said Lattimore is his big keyman. He has given us some details of the 81 cases on the floor of the Senate. For the time being let's confine this request to something we have the greatest opportunity on.

Senator HICKENLOOPER. No; because there is one man whose name is in that list of 25 that I think is probably as dangerous a man as the man he has mentioned. That is my own personal suspicion. That is only a suspicion, but his name is on the list of 25. I just happened to see it from the chairman's pocket.

Senator TYDINGS. If you give me his name, I will try to get his in addition to the 81 plus the 9.

Senator HICKENLOOPER. No. I have bounced around on this motion—

Senator McCARTHY. In the 25 there is actually a duplication of two. Two of the 25 I understand are in the 81.

Senator McMAHON. I amend the Senator's motion by suggesting that the 25 against whom no specific charges have been made be omitted from the request.

Senator GREEN. I think they all should be omitted from the request—those against whom no substantial evidence has been submitted.

Senator TYDINGS. We have an amendment. The chairman is hereby directed to request immediately from the FBI, from the State Department, and from the Civil Service Commission, the files of all persons against whom any charge has been made. That would include the nine he has given us in open session and it would include the 81 cases about which some evidence was given on the floor of the Senate.

Senator GREEN. In some cases no evidence was given.

Senator TYDINGS. One Senator McCarthy himself said was not much of a case. I would rather ask for the whole 81.

Senator HICKENLOOPER. I thought you wanted the 25 too, a while ago.

Senator TYDINGS. Are you ready for the question? We are voting on the Brien McMahon amendment. All those in favor will say "Aye"; opposed, "No."

Senator HICKENLOOPER. "No" with a qualification that I want the 25 included.

Senator TYDINGS. Do you vote either way?

Senator GREEN. That is on omitting—

Senator TYDINGS. Omitting the 25.

Senator GREEN. Yes; but I think there also should be omitted those in the 81 against whom no charges have been made.

Senator TYDINGS. Let's go along. Then the motion is on the Hickenlooper proposition as amended. All those in favor say "Aye." Opposed, "No." The motion is carried.

Senator McMAHON. Now, if the request is not complied with, we will subpoena. Let that come later.

Senator HICKENLOOPER. The committee has taken no action on that.

Senator TYDINGS. What we have done here is, you have asked me to request the files. I have already said I have requested them, but we want the formal thing so there won't be any question.

Senator HICKENLOOPER. I want the record to show that there is in that list of 25 one man who is utterly dangerous.

(Whereupon, at 3:50 p. m., the hearing was adjourned.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, MARCH 27, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment on March 20, 1950, in room 318, Senate Office Building, at 10:30 a. m., Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, and Hickenlooper.

Also present: Senator Connally, chairman of the full committee. Senator TYDINGS. The chairman received this morning a letter from Dr. Philip C. Jessup, who desires to make a correction in his testimony.

The letter is on the stationery of Ambassador at Large, Department of State, Washington. It is dated March 24, 1950:

DEAR SENATOR TYDINGS: In connection with my testimony on March 20, 1950, before your committee, I was asked by Senator Hickenlooper as to the precise date of a round-table discussion which was attended by Mr. Owen Lattimore and in which I saw Mr. Lattimore. I stated in my testimony that I believed that this meeting was in December. Upon consulting the files of the Department, I find that the meeting was on October 6, 7, and 8, 1949.

I am enclosing a list of all the persons who attended this meeting.
Sincerely yours,

PHILIP C. JESSUP.

Attached is a list of the persons attending the meeting.
(The letter and list are included as exhibit 54)

This morning we have before us Mrs. Brunauer, who has written to the chairman and to the committee asking for an opportunity to answer the charges made against her by Senator McCarthy.

Mrs. Brunauer, would you please stand and raise your right hand?

Do you solemnly swear that the evidence you shall give in the matter now before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BRUNAUER. I do.

Senator TYDINGS. Take a seat, Mrs. Brunauer; you may proceed in your own way to read your statement. Does the statement give your full name?

STATEMENT OF MRS. ESTHER CAUKIN BRUNAUER, ASSISTANT DIRECTOR FOR POLICY LIAISON, UNESCO RELATIONS STAFF, DEPARTMENT OF STATE

Mrs. BRUNAUER. It does, thank you.

Senator TYDINGS. Does it tell where you live?

Mrs. BRUNAUER. It does.

Senator TYDING. All right; go ahead in your own way.

Mrs. BRUNAUER. My name is Esther Caukin Brunauer. I live, with my husband and our two children, at 3417 Quebec Street NW., Washington, D. C. I am an officer of the Department of State; my present position is Assistant Director for Policy Liaison, of the UNESCO Relations Staff. I came to the Department in 1944, after 17 years of continuous service on the staff of the American Association of University Women as associate in international education. I am a native of California. My ancestors for several generations back—Caukins, Blackwells, Reillys, Welches, Tates, Bushes, Upsons, and Smiths—were part and parcel of the growth of America. None of them became rich or famous, but they were steadfast and loyal citizens, with high standards of personal conduct and with the habit of speaking their minds freely and openly. I come before you today to avail myself of the opportunity you have given me, in accordance with my request, to speak my mind freely and openly in reply to charges made against me by a Senator of the United States—charges made in violation of the traditions of fairness which are among our oldest heritages.

My first notice that charges might be made against me came on February 11 when I was called by a reporter who said that Senator McCarthy, in an off-the-record press conference, had mentioned my name as one of four cases that he intended later to make public in connection with the claim which he was making on a speaking tour that there were Communists in the State Department. As a result of this warning I read very carefully the list of numbered cases which Senator McCarthy read on the Senate floor on February 20. On the second reading I observed that No. 47 contained a reference to a husband in the Navy Department and a date of employment which coincided with my own. I, therefore, assumed that I was No. 47, although the "facts" contained in No. 47 consisted so largely of innuendoes and veiled references that it would be impossible to say whether they were intended to apply to me or to anyone else. Then on March 13 I was informed by newspaper men that I had been mentioned by Senator McCarthy before this subcommittee as one of the cases which he claimed proved his contention that there were persons in the State Department who were disloyal to the United States.

Mr. Chairman, I am a loyal American. I am not a Communist and never have been a Communist. I have never engaged in Communist activities. I am not a Communist sympathizer and never have been a Communist sympathizer. I do not have, and I never have had, any sympathy for any doctrine which conflicts with the basic principles of our American democracy. I support the President's loyalty program and have been cleared under that program. I have enough confidence in the strength of our American institutions to believe that Communists and their sympathizers can be kept out of our Government without violating the traditional American principles of decency and fair play. Before I was given a hearing, my name was first divulged as one who was about to be attacked and then I was publicly branded as disloyal without having had an opportunity to speak in my own defense. In fact, Senator McCarthy said on March 13 that I presented such a danger to the country that my case should be the "very first case," to use his own words, to be investigated by this committee.

I am aware, Mr. Chairman, that after this statement about me had reverberated in the headlines for a few days I lost my priority, and there is now another case which Senator McCarthy claims is the No. 1 case, upon which he says he is willing to stand or fall.

I do not exaggerate in saying that in this hearing my reputation is at stake. I am aware that nowhere in his public statements did Senator McCarthy actually apply the word "disloyal" to me, but his insinuations were plain, and the newspapers, though they have been fair, were quick to see what he had in mind. I appreciate the opportunity which this committee is giving me to answer these charges, but no matter how satisfactory my answers may be to this committee the news of the disproof may never catch up with the accusation. The effects of these insinuations have not been limited to the press. In my household there are two small children and an elderly grandmother, besides myself and my husband. We are all upset and bewildered. Since March 13 we have been receiving anonymous telephone calls, accompanied by threats and profanity, with such advice as "Get out of this neighborhood, you Communists, or you will be carried out in a box." All of you who have families will realize the effect this has on the atmosphere of a home. You know how you would feel if it were happening in your home. Senator McCarthy may have his own reasons for what he has done and the way he has done it, but I will never be able to understand them.

Senator McCarthy began his attack on me by saying that I was "the first assistant to Alger Hiss in the San Francisco Conference." This is an advanced form of guilt by association. Moreover, it is incorrect. I had no personal or official contact with Mr. Hiss at San Francisco. At the San Francisco Conference I was a technical adviser in the delegation of the United States. Mr. Hiss was the Secretary General of the Conference and was not a member of our delegation. Although I was not an assistant to Mr. Hiss, I was an assistant and adviser to the late Congressman Bloom, who was one of the United States representatives there. In Washington my work up until February 1946 was in the Office of Special Political Affairs. I was about the fourth in line in one of the divisions of this Office. A few months after I started this work, Mr. Hiss began his connection with the Office, first as Deputy Director and then as Director. My contacts with Mr. Hiss in this work were infrequent and routine.

Senator McCarthy also charges that I was instrumental in committing the American Association of University Women to various front enterprises "particularly in the so-called consumer field." He refers particularly to an instance reported in the New York Times of April 27, 1943, in which, as he said, "The American Association of University Women joined with the Consumers' Union, the League of Women Shoppers, and other completely controlled Communist fronts." The Senator went on to say that I took this action knowingly and was not mistaken about what I was doing. The Senator, however, is badly mistaken. I believe the chairman already has in his hands a letter addressed to him from Kathryn McHale, general director of the American Association of University Women, in which she states, "at no time did Mrs. Brunauer have any connection with the association's consumer program."

SENATOR TYDINGS. Mrs. Brunauer, I have that letter. Would you like to put it in the record now, or at the conclusion of your remarks?

MRS. BRUNAUER. I would like it in the record at any time it suits your convenience.

SENATOR TYDINGS. We will let you finish.

MRS. BRUNAUER. It can go in now.

The report in the New York Times to which Senator McCarthy referred obliquely, but did not quote, lists a total of fifteen women's organizations who strongly urged grade labeling of canned fruits and vegetables as a means of making price control more effective. The Senator mentioned by name the only two organizations which were ever officially cited as Communist controlled. Senator McCarthy did not read the entire list of these organizations, which included such bodies as the American Home Economics Association and the Young Women's Christian Association. The entire list is available to the committee.

Senator McCarthy has also charged that I presided at a Washington meeting of Friends of the Soviet Union in 1936 and that Myra Page spoke at that meeting. I do not recall that meeting and I have no recollection of ever meeting Miss Page, but I have ascertained that I did preside and Miss Page spoke on "who rules in Soviet Russia." As has been indicated in the letter from Miss McHale to the chairman, to which I referred a few minutes ago, my position with the American Association of University Women was that of associate in international education and international relations. In that capacity it was part of my job to attend and preside upon occasions at meetings of numerous organizations in this field. In 1936 the attitude of most Americans toward the Soviet Union was friendly and hopeful. I had no way of ascertaining then that the organization called the American Friends of the Soviet Union would at some later time be declared subversive. I was never a member of that organization, and it was not considered reprehensible or a sign of disloyalty for American citizens to attend lectures on conditions in Soviet Russia, even if made by Soviet sympathizers.

Senator McCarthy next charges that I signed a call to the annual meeting of the American Youth Congress held in July 1939. I did sign this call and I invite your attention to the creed which was adopted at the meeting. The creed contains a pledge to "seek progress only within the framework of the American system of government" and to "oppose all undemocratic tendencies and all forms of dictatorship." I was 1 of 110 signers. The other signers included persons who were active in women's organizations, health organizations, educational institutions, social service organizations and religious groups. I believe this committee will be particularly interested in the signers who were active in public life. These included Senator Capper of Kansas, Senator Logan of Kentucky, Senator Murray of Montana, and Senator Wagner of New York. They also included Representative Coffee of Washington, Representative Dunn of Pennsylvania, Representative Ford of California, Representative Izak of California, Governor Bottolfsen of Idaho, Governor Dickenson of Michigan, Governor Jones of Arizona, Governor Moses of North Dakota, and Governor Olson of California. They also included two members of the Cabinet, Postmaster General Farley and Secretary of Interior Ickes. My recollection of this call is that it represented an attempt of the liberals to capture the leadership of the American youth organizations. The fact that the American Youth Congress

has been cited by the Attorney General as a subversive organization is an indication that we failed, but if we are to be criticized it is perhaps because we are not active and aggressive enough to succeed, but at least we tried.

The Senator states that I was active in the launching of the American Union for Concerted Peace Efforts. That is true and I am proud of the fact.

He states that the American Union for Concerted Peace Efforts was cited as a Communist-front organization. That is less than a half truth. It was, in fact, cited by the Dies Committee on March 29, 1944, but not as a Communist-front organization. It was cited as "an organization with the same aims as the American Congress for Peace and Democracy, a Communist front advocating collective security prior to the signing of the Stalin-Hitler Pact" of 1939. The American Union for Concerted Peace Efforts did advocate collective security. So did the loyal members of the League of Nations. So do all the loyal members of the present United Nations. Those aims appear to have been shared by the American Congress for Peace and Democracy up to the time of the Stalin-Hitler Pact. No other aims were shared by that organization and the American Union for Concerted Peace Efforts. These aims were, of course, abandoned by the Communists, according to the party line, upon the announcement of the pact. They were not abandoned by the American Union for Concerted Peace Efforts; on the contrary they were intensified.

The Senator states that the leader of the American Union for Concerted Peace Efforts was the editor of the Daily Worker. This is entirely false. The editor of the Daily Worker was a member of the executive committee of the American Congress for Peace and Democracy. Neither he nor any other Communist played any part in the direction of the American Union for Concerted Peace Efforts. The chairman of the executive committee of the American Union for Concerted Peace Efforts was Dr. Clark M. Eichelberger, at that time president of the American Association for the League of Nations, and now president of the American Association for the United Nations. The 15 other members of the executive committee, including myself, were persons of known loyalty to the United States. There were no Communists in this group. The American Union for Concerted Peace Efforts was succeeded by the William Allen White Committee, also known as the Committee to Defend America by Aiding the Allies. The work of this committee in combating the Communist Party line is well known. I was one of the founders of this committee.

Mr. Chairman, I think I have answered Senator McCarthy's charges against me. If any of my answers is not entirely clear, I should be glad to supplement them to the best of my ability. I would like to present a group of letters which I have been requested to deliver to the chairman. I offer also a list of my publications.

Senator TYDINGS. Is it your wish to put them in now? The list of publications will be exhibit 55.

Mrs. BRUNAUER. I should like to put them in now.

There is a list of the letters. I do not think it is necessary to read the whole list, if that is all right with the committee.

Senator TYDINGS. You do want the letters in the record?

Mrs. BRUNAUER. Yes. There is an additional letter also received. Senator McMAHON. I would like to know who they are from.

Mrs. BRUNAUER. These are the names of persons who addressed letters to the subcommittee of the Committee on Foreign Relations and that are being presented to the subcommittee by me today:

Milton S. Eisenhower, president, Kansas State College;

Senator Joseph H. Ball, Washington, D. C.;

Ralph H. Lutz, president, Stanford University and president of the American Association of University Professors;

Mrs. Vera B. Whitehome, New York, N. Y.;

Miss Margaret S. Morris, dean, Pembroke College in Brown University;

Katherine K. Rice, a physician in Washington, D. C.;

Sarah Gibson Blanding, president, Vassar College;

Dr. Gertrude Kornfeld, Rochester, N. Y.;

James P. Hendrick, Washington, D. C.;

Mrs. Helen Alley, Arlington, Va.:

Mrs. Ruth Lyons, Washington, D. C., director, Statistics Branch, Public Housing Administration;

Ben M. Cherrington, director, University of Denver;

Howard E. Wilson, Carnegie Endowment for International Peace, New York, N. Y.:

Herbert Emmerich, director, Public Administration Clearing House, Washington, D. C.;

Mrs. Olive Clapper, Washington, D. C.;

Richard P. McKeon, department of philosophy, University of Chicago;

Blanche N. Dow, president, Cottey College, Nevada, Mo.;

Eliot B. Coulter, Assistant chief, Visa Division, Department of State;

George F. Zook, president, American Council on Education, Washington, D. C.;

Louise Leonard Wright, The Chicago Council on Foreign Relations, Chicago, Ill.;

Graham H. Stuart, department of political science, Stanford University;

Dr. Margaret Mary Nicholson, Washington, D. C., our family pediatrician;

Hugh Moore, chairman of the board, Dixie Cup Co.;

Mrs. Marjory B. Loengard, New York, N. Y.;

Malvina Lindsay, the Washington Post, Washington, D. C.;

Mrs. Helen K. Knadel, educational consultant, traffic engineering and safety department, American Automobile Association, Washington, D. C.;

Mrs. Anne H. Johnstone, director, League of Women Voters of the United States, Washington, D. C.;

Ralph E. Himstead, general secretary, American Association of University Professors, Washington, D. C.;

Herman Hertzberg, a personal physician;

Mrs. Gladys Murphy Graham, Santa Monica, Calif.;

Miss Dorothy Fosdick, Policy Planning Staff, Department of State;

C. Mildred Thompson, emeritus dean and professor of history, Vassar;

Eleanor Lansing Dulles, Department of State;

Mrs. Ruth S. Brumbaugh, president, Washington branch, American Association of University Women;

A. J. Brumbaugh, Washington, D. C.

I wish to add, Mr. Chairman, that these letters are presented to you as letters from people who have known me well and worked with me. They are not letters presented in order to impress the committee with what an important person I may or may not be, but people who can tell you about my character through the years.

May I also add Mrs. Eire Stevens?

Senator TYDINGS. The letters will be put in the record to supplement the names which have been read, as a group numbered exhibit 56.

Mrs. BRUNAUER. Thank you, sir.

Senator TYDINGS. Will you give the letters to the reporter before you leave, so that they may go in the record?

Mrs. BRUNAUER. Yes. Then I have one more, Mr. Chairman, from Judge Marion J. Harron, who has known me since I was in high school.

May I also read a personal letter from Mr. Milton Eisenhower? He said:

DEAR ESTHER: I am happy you wrote me, because I have been so angry about the McCarthy charges that I have been wanting to take some kind of action. You give me the very opportunity I need. The first letter I wrote for you just smoked with adjectives. Then I decided you didn't want that kind of testimonial, so I send you the attached very calm letter. If it isn't exactly what you want, please let me know at once.

I will see you in April at the commission meeting.

Senator TYDINGS. Dr. Brunauer, is he the president of Kansas or Penn State College?

Mrs. BRUNAUER. He is the president of Kansas and will assume his duties as president of Penn State very soon—July 1, I believe.

May I proceed?

Senator TYDINGS. You may proceed.

Mrs. BRUNAUER. It is possible that a very brief summary of the high points in my career may save time in the end.

I was born and brought up in the State of California. I received my Ph. D. at Stanford University in 1927 in history and political science. My principal interest since my graduation has been in international relations. My first job was in that field. It lasted 17 years. It was with the American Association of University Women. I have been in the Department of State ever since.

One of my most important projects for the American Association of University Women may be considered to deserve special mention. This was a study of national defense in relation to foreign policy which was undertaken by the National Committee on the Cause and Cure of War under a commission of which I was chairman. The report, entitled "National Defense, Institutions, Concepts, Policies" was published in 1937 by the Women's Press of the YWCA. After that, the commission reported annually on the problems of the National Defense Establishment which were important in the ever more critical international situation. Admiral Standley, who was then Chief of Naval Operations, has stated to me that he considers that this study was largely responsible for converting various pacifistic organizations in this country and thus making possible an immediate program of rearmament.

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In this regard, I think the committee will also be interested in the part that I played in the international activities of the American Association of University Women during the critical period of 1939-41, the period of the Stalin-Hitler friendship pact. These activities culminated in the resolution of May 8, 1941, adopted by the biennial convention of the association in which they voted for—

Recognition of a common cause with all nations resisting totalitarian aggression and furnishing of whatever aid we can give to make this resistance effective.

This was in direct opposition to the Communist line at that time. Of course, I don't want the committee to believe that I did all this single-handed. I was a staff member, but it was a development of opinion in which I participated and of which I am proud.

Between 1941 and the beginning of 1946 there is nothing of particular interest to this committee in my career except my work with Mr. Bloom at San Francisco in 1945. In February 1946, I was designated representative of the United States on the Preparatory Commission for UNESCO. In my work with UNESCO I have attended sessions of the General Conferences at Paris, Mexico City, and Beirut. Those who have worked with me could tell you that I have been diligent in devising ways to thwart the attempts of Communists to use UNESCO for their own purposes.

Mr. Milton Eisenhower, president of Kansas State College, was at those conferences as a delegate. He has asked me to deliver a letter to you, Mr. Chairman, in which he is kind enough to make the following statement regarding my work. Now I am quoting from Mr. Eisenhower's letter:

I would say that the present ideological warfare in the world is Dr. Brunauer's chief concern, and in this she is constantly working to uphold United States policy, as well as the democratic philosophy generally, and to defeat the devious and clever tactics of the Russians and their satellites. At the Mexico City conference in 1947, for example, she spent a full month in countering the efforts of a Russian-dominated Polish delegation to pin the tag of "warmonger" on the Western democracies, and especially on the United States. She worked with devotion, precision, and effect. She was completely sincere in all she did.

Now, Mr. Chairman, I would like to refer briefly to the charges made by Senator McCarthy against my husband, Dr. Stephen Brunauer. As to my husband's past, his Communist connections existed a very long time ago, more than 20 years ago, in fact. He came to this country at the age of 18 as an immigrant. He was without friends, without money, and without a command of the language. He was eager for American companionship, but this was largely denied him. His need for friends and companions was filled, in his first years here, by a group of young people of similar national origin who spoke the same language, and these people unfortunately were largely Communists. They brought him into the Hungarian section of the Young Workers League. After about 3 years, he began to understand the operations of the Communist movement more clearly and to see more clearly its conflict with American institutions. He dropped out of the Young Workers League early in 1927 and has not been a member of any Communist group since that time. His association with individuals in the Communist movement diminished rapidly after he came to Washington in 1928. By 1932 he had been denounced by the Communists as a deserter from their cause.

My husband is a loyal American. He has devoted himself to our national defense and his positive contributions have been widely recognized. My husband is an outspoken opponent of communism. He has done whatever lay within his power to thwart the Communists. We have as a neighbor and are privileged to have as a friend one of your colleagues, Senator Joseph H. Ball. He asked me to present a letter and I would like to do so now. I would like to quote the last few lines of the letter to you, Mr. Chairman:

As you know, Stephen Brunauer was born in Hungary and spent his youth there. Many of his boyhood friends have been victims of Communist dictatorship. He is perhaps the most violently anti-Communist person I know.

I have no hesitation in vouching for the complete loyalty of Stephen and Esther Brunauer to the United States and to our way of life.

Senator TYDINGS. Thank you very much, Dr. Brunauer.

Senator Green, have you any questions at the moment?

Senator GREEN. No, I haven't.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. I have a few questions that I would like to ask Dr. Brunauer, but again, Mr. Chairman, I want to call attention to the fact that I have no basic information, no access to the files of information which the Government has in this case or any other case, and it seems to be a futile thing to attempt to question people about matters which should be of public interest without having all available information before one, so that it is either ineffective in the witness' interest or in the interest of the public to be so stymied and hamstrung by being refused, apparently, the information which the Government may have pro or con in this case.

Senator TYDINGS. I would like to say, Senator Hickenlooper, that I have been most diligent in trying to get all of the files that the Senate directed us to obtain. I have taken the matter up orally and by letter with the President. I have taken the matter up orally and by letter with the State Department. I have taken it up by letter with the Civil Service Loyalty Review Board, and I have personally gone to see the Attorney General and Mr. J. Edgar Hoover to obtain the FBI files in addition to taking it up formally in writing.

The State Department has written me a letter which I just received today that under the President's directive they cannot turn over the files without his permission. Mr. Richardson has written me in the same vein, saying that he cannot turn them over, and I asked Mr. Edgar Hoover and Attorney General Howard McGrath to come before our committee at 3:30 this afternoon to state their position on this and such other matters as they may care to comment upon.

Under the terms of the resolution we are directed to subpoena. I had hoped that we could work it out amicably without resorting to this legal device, and I likewise learn from the press—I do not know whether it is accurate or not—that I may get some word from the President before the day has passed concerning the files, after Attorney General McGrath and Mr. Hoover have testified. It may be, however, that this information may not reach me until tomorrow morning. I simply make this statement because I have exhausted every bit of ingenuity and effort and resource at my command to carry out the resolution of the Senate, and therefore I can do nothing more than to give these witnesses who have been openly accused without the committee having any data in its hands or any files available at the

time of the accusation the same rights to appear as Senator McCarthy had when he was making the charges. We had no files then and we have no files today, and I believe the biggest thing for us to do is to try to give those who are accused as rapid a hearing as we can.

I would like to say in conclusion that we can always recall witnesses at any time for further testimony in the event that any member of the committee wants them recalled.

I ask your pardon for the interruption. I only make it because I thought perhaps I should make the general statement on the files at this time.

Senator HICKENLOOPER. In the first place, I have interposed no objection to the witnesses making their statements. That is not part of my position at all. But I would like to ask the chairman whether the chairman has transmitted to the Civil Service Commission, the FBI, and the State Department the motion which was adopted by the subcommittee which I made on last Tuesday, that we officially request these files from those three agencies. Has that been transmitted to those three departments as notification that this subcommittee has officially requested these files.

Senator TYDINGS. That has been done not only with the State Department, the Loyalty Board of the Civil Service, but with Attorney General McGrath, representing the Department of Justice and the FBI, but I have encompassed a general formal request on the President at the same time. I have heard from all three of them, other than the President, and I am rather expecting that very shortly we will have the President's position on it.

In the meantime, as I say, I have carried out religiously the committee's instructions, with which I was in hearty accord, and in the event we are defeated all along the line I shall call the committee together and ask them what the next step is that they would like me to take, and whatever they agree upon, I shall try to be their humble and obedient servant.

Senator HICKENLOOPER. Dr. Brunauer, to begin with, in the first part of your statement, the last sentence, you say that—

I come before you today to avail myself of the opportunity you have given me, in accordance with my request, to speak my mind freely and openly in reply to charges made against me by a Senator of the United States—charges made in violation of the traditions of fairness which are among our oldest heritages.

That is the end of the quote.

This is not the first time that you have been before an official board or Commission testing the question of your loyalty or your security to the country, is that correct?

Mrs. BRUNAUER. No, sir. I appeared before the Loyalty and Security Board of the Department of State on July 28, 1948, and I was cleared.

Senator HICKENLOOPER. That was as a result of charges made against you?

Mrs. BRUNAUER. Yes, sir.

Senator HICKENLOOPER. And hearings were held on those charges, and thereafter you were cleared of those charges?

Mrs. BRUNAUER. I was cleared; yes, sir.

Senator HICKENLOOPER. So that another official group of the Government has in fact filed charges against you upon which questions

were asked and an examination had as to the matter of your loyalty and security?

Mrs. BRUNAUER. Yes, sir. Mr. Chairman, may I make a comment?

Senator TYDINGS. You may make any answer you wish to any of us who interrogate you today.

Mrs. BRUNAUER. I think the State Department was entirely correct in seeking to learn the origin of various charges that had been made against me, and in seeking to evaluate all of the evidence about me and my character, my loyalty, and my security status. The hearing was a very thorough one. The Loyalty Board had, of course, in its possession all of the information on file in the Department of State about me. It knew not only the half-truths and suggestions and possibly the innuendoes that have come in the course of a rather long period of service. They also knew all other facts about my positive work, my contributions, where I have stood down through the years in the field of international relations; they knew what I had done in the Department of State in this phase of American foreign policy, and they cleared me after considering all of the evidence. I must say that I thought that had settled the matter.

Senator HICKENLOOPER. The only comment I would have on that, Dr. Brunauer, is that you have just stated, and I think it is true, that they had all of the information and facts that have been collected by the Government agencies. This committee unfortunately has been denied the facts and the evidence up to this point in the possession of the Government. So that this hearing cannot, of course, be based upon as exhaustive a field of information as that which was possessed by the Government at that time.

Mrs. BRUNAUER. That is why I have tried to put these other pieces of information before you.

Senator HICKENLOOPER. I believe you testified that your husband some years ago was in fact a Communist, but after a short time in this country he ceased his association with the Communist Party.

Mrs. BRUNAUER. Yes—his association with the Communist movement. He was never a member of the Communist Party.

Senator HICKENLOOPER. You make the positive statement that he never was a member of the Communist Party in this country?

Mrs. BRUNAUER. I make that statement; yes, sir.

Senator HICKENLOOPER. I do not want to be unfair about this question, but I believe in those years of which you are making this very positive statement now you were not even acquainted with him, so I assume you make your statement based upon what he has told you.

Mrs. BRUNAUER. I make that statement based upon what he has told me, and in the first years that he was in Washington, when he occasionally saw some individuals whom he had known previously, his connections were just as I have stated, as a member of the Young Workers League. The Young Workers League was organized and run by the Communist Party. There is no attempt to deny that my husband for a short time supported the Communist ideals.

Senator HICKENLOOPER. The only purpose of my question is that you made a positive, flat declaration apparently of your own knowledge, and I was merely attempting to help by calling attention to the fact that you did not know your husband during those years, therefore your statement about his membership must be from what someone else has told you—he and other people.

Mrs. BRUNAUER. At least I gathered this information, or the information was told to me, at a time when there would have been no reason to conceal and there would have been no embarrassment about his admitting it if he had been a member of the Communist Party.

Senator HICKENLOOPER. Have you ever been acquainted with a man named Malcolm Nurse, alias George Padmore?

Mrs. BRUNAUER. No, sir. The name means nothing to me.

Senator HICKENLOOPER. He was a native of the West Indies, I believe. You have never known him or had any association with him?

Mrs. BRUNAUER. Not that I can recall. I must remind you that in the past 25 years I have had a great many associations with a great many people, but I do not remember that name.

Senator HICKENLOOPER. Did you ever know a man by the name of Noel Field?

Mrs. BRUNAUER. Yes, sir. I used to know him.

Senator HICKENLOOPER. What was your association with Noel Field?

Mrs. BRUNAUER. I became acquainted with Noel Field and his wife Herta about 1928. I knew them socially for a time. At that time I believe he was in the Department of State. Later, about 1934 or so, after my husband came back from a year in Germany, we saw him and Herta once or twice and then they went to Europe, and on infrequent occasions since then we have had very brief social contacts with them in groups of people. I have not seen them since October 1945.

Senator HICKENLOOPER. Do you know whether or not he is a member or was a member during those associations of yours of the Communist Party?

Mrs. BRUNAUER. No, sir; I don't know that. He didn't say it, and no one told me that he was.

Senator HICKENLOOPER. Did you have any associations or experience with Noel Field that would lead you to believe that he was at that time a member of the Communist Party?

Mrs. BRAUNAUER. The only incident which has any bearing at all on this occurred about 1934. At that time, as I said, after my husband and I came back from Germany, we were invited to a party where the Fields were present, and in the course of the discussion Noel Field discussed the world situation in terms which expressed the feeling that the Communist movement had a great deal to commend it. My husband argued with him bitterly and vigorously, and tried to convince him that he was wrong. That is the only time on which we have ever had any discussion of political ideologies.

Senator HICKENLOOPER. Do you know whether or not Field was a member at that time or at any other time of the Russian OGPU organization, or secret-service organization?

Mrs. BRUNAUER. No, sir.

Senator HICKENLOOPER. During this period of time that you knew him, I believe at least part of the time he was an employee of the State Department, was he not?

Mrs. BRUNAUER. Yes, sir.

Senator HICKENLOOPER. In what capacity, if you recall?

Mrs. BRUNAUER. I don't know his exact title, but I know that he was doing work which brought him into the Disarmament Conference. He went as one of the advisers to the American delegation to

the Disarmament Conference and subsequent questions on armaments questions during the 1930's, and he left the Department, I believe, to take a position in the League of Nations.

Senator HICKENLOOPER. Did you attend a meeting or meetings of the Inter-Racial Club on Eye Street in Washington at various times in the past?

Mrs. BRUNAUER. There was a club which met at the Friends Meeting House on Eye Street, sir. It was the International Friendship Club. Its members consisted of young people from the various universities, including a number who came from a number of different countries, and included some students from Howard University. I did attend the meetings there. I was a member of the organization.

Senator HICKENLOOPER. And at those meetings, or some of them—perhaps not all—both Noel Field and Malcolm Nurse are—I should not say "alleged," because I have no personal knowledge of it—were they in attendance at those meetings?

Mrs. BRUNAUER. Noel Field I know was in attendance at some of the meetings. I am sorry to say I don't remember the names of most of the people who came to the meetings. I know a few of them. But I don't know the name of Malcolm Nurse. I wish I could help you, but I do not know it.

Senator HICKENLOOPER. So you do not know whether Malcolm Nurse was there or not?

Mrs. BRUNAUER. No; I am sorry I don't.

Senator HICKENLOOPER. Did you deliver a speech in 1934 at a meeting of the Friends of the Soviet Union as a substitute for your husband?

Mrs. BRUNAUER. I did; and the subject was "The Cultural and Educational Policy of the Nationalists in Germany." The reason for delivering the speech was that when my husband and I came back from Germany we were very much concerned about the Nazi menace, about what it was doing not only to subject races—minority races—but what it was doing to the very cultural fabric of Germany and threatened to do to the cultural fabric of the world, and we seized every opportunity to tell Americans what Nazi Germany was like. When this opportunity arose, I seized the opportunity.

Senator HICKENLOOPER. Was your husband requested to speak?

Mrs. BRUNAUER. Yes. He agreed to do it. Shortly after receiving the invitation his chief in the Naval Research Laboratory said he thought it would be better for a person who was an officer of the United States Government not to make a speech in a public place that might be taken by Germany, with whom we were at that time in peaceful relations, as being in active enmity, so he decided not to do it, and it was decided I should speak in his place.

Senator HICKENLOOPER. Has your husband written articles for a paper, Magyar Jövö, a Hungarian-language newspaper?

Mrs. BRUNAUER. Not for that newspaper, sir. That is the successor to the newspaper called Uj Elöre, which was the Communist paper during the time when he belonged to the Young Workers League, and I believe he has told me that he wrote articles during that time.

Senator TYDINGS. What was the date of that?

Mrs. BRUNAUER. That would have been before he came to Washington—1927 or earlier.

Senator HICKENLOOPER. Was that paper run, edited, or conducted by a brother of your husband's wife?

Mrs. BRUNAUER. So I understand, sir—my husband's first wife, sir.

Senator HICKENLOOPER. When your husband was in the Navy he made a trip to France, did he not?

Mrs. BRUNAUER. He made several trips.

Senator HICKENLOOPER. On at least one of those was he a guest at the home of Jules Curie?

Mrs. BRUNAUER. Sir, to my knowledge my husband has never set eyes on Jules Curie, and if he has an opportunity to appear before you he will likewise state so under oath.

Senator HICKENLOOPER. Was he a guest at any time in France of General Gassault?

Mrs. BRUNAUER. Not to my knowledge. Likewise he will testify on that subject under oath. So far as I know, he was not.

Senator HICKENLOOPER. Did you attend the Communist-controlled American—I should not have said that. I will withdraw that question. Did you attend the American Youth Convention in New York City in July 1939?

Mrs. BRUNAUER. I do not remember whether I did or not. I think it rather unlikely, because I was getting ready to go to Europe to attend the Conference of the International Federation of University Women in connection with my official duties, and I left at the end of July, so I doubt very much that I attended that.

Senator HICKENLOOPER. Has there ever been any protest, so far as you know, by any local chapter or chapters of the American Association of University Women protesting alleged activities of yours in so-called front organizations?

Mrs. BRUNAUER. Not that I have ever heard of, sir.

Senator HICKENLOOPER. No such protests were made while you were executive secretary?

Mrs. BRUNAUER. Pardon me; I was not executive secretary of the American Association of University Women. I think it is rather important. I was international relations secretary first, and the title was later changed to associate in International education. I was responsible for the international relations program of the organization from the staff point of view.

Senator HICKENLOOPER. Were you a member of the executive committee for concerted peace efforts in 1939? I think perhaps you covered that in your statement.

Mrs. BRUNAUER. Yes, sir; I think I did.

Senator HICKENLOOPER. Were you ever a member of the Young Workers League?

Mrs. BRUNAUER. No, sir.

Senator HICKENLOOPER. Were you ever a member or an attendant at meetings of the Young Communist League?

Mrs. BRUNAUER. No, sir.

Senator HICKENLOOPER. Did you ever attend meetings of the Young Workers League?

Mrs. BRUNAUER. No, sir. May I suggest possibly that the fact which the Senator brought out a few moments ago, that my husband was previously married for a short time during the period of his

residence in New York, may cause some of the confusion. Possibly someone has testified that his wife attended some of those meetings. That would have been my husband's first wife.

Senator TYDINGS. When were you married?

Mrs. BRUNAUER. In 1931. We became acquainted late in 1928 and were married in 1931.

Senator HICKENLOOPER. Did the Communist member of the Hungarian delegation to UNESCO visit you or your husband or your home a few years ago on his way from Mexico?

Mrs. BRUNAUER. He called on my husband and I would be glad to give you what I know of that, if you wish, or, if you prefer, it can wait until my husband comes before you.

Senator HICKENLOOPER. Were you present at the time your husband met the gentleman?

Mrs. BRUNAUER. No, sir; I was not.

Senator HICKENLOOPER. So anything you would say about what went on between your husband and this delegate would be completely hearsay?

Mrs. BRUNAUER. It would be hearsay, but not in the usual sense of the word, sir, because on matters of this sort my husband and I see completely eye to eye, and inform each other completely.

Senator HICKENLOOPER. That was a Mr. Ferenczi?

Mrs. BRUNAUER. I think perhaps I had better give the story, because otherwise it will remain as a question mark in somebody's mind if I don't tell you a little more about it, if I may do so.

Senator HICKENLOOPER. I have no objection to your giving the story, but I want to emphasize that this is evidence of someone who has repeated it to you.

Mrs. BRUNAUER. However, sir, there is a good deal about it that I can give on my own testimony, and I think perhaps the committee should hear it.

Senator HICKENLOOPER. I have no objection.

Senator TYDINGS. So long as the point has been raised, if you care to make any comment on it you can make it, and when your husband testifies, of course we can interrogate him more fully. Whatever you want to say you are at liberty to say.

Mrs. BRUNAUER. Thank you, sir.

Some months before the Mexico City Conference of UNESCO Hungary was taken over by the Communists, as you know.

Senator TYDINGS. Would you fix the date of that?

Mrs. BRUNAUER. That was at the end of May 1947. The second session of the UNESCO General Conference in Mexico City was in November and part of December 1947. In preparing for that conference, we in the Department of State realized that the Communist character of the Hungarian Government would cause problems in connection with the membership of Hungary or the application of Hungary for membership in UNESCO.

Besides that, on the personal side, my husband and I were very close to the Hungarians in Washington, who were in the Legation under Dr. Aladár Szegedy-Maszák, Minister of Hungary at that time. We were with them as friends during the period when they decided not to recognize the Communist regime. We were close to them; we sympathized with them, we felt their problems deeply. I am giving you

this part of the background to help make you realize that any actions or statements which my husband may have made or which he may be alleged to have made were very greatly colored by his feelings, his heartbreak over the fact that Hungary had been taken over by the Communists.

At the Mexico City conference, after the vote was taken on the membership the United States abstained in the voting, just as it had done in the Economic and Social Council when the question came up. After the vote was over and the majority vote to admit Hungary made the Hungarian delegation eligible to sit as observers, Mr. Ferenczi, a member of the delegation, approached me and invited me to luncheon. We had luncheon in a public place in the presence of a very large number of other people. He asked me about reconstruction questions concerning UNESCO; he asked me whether Hungary could expect to receive reconstruction aid from the United States; that is, educational reconstruction aid from the United States as a member of UNESCO. I told him then—I have had no further personal conversations with him but I told him then—that it was my opinion that while the United States Government could not force its citizens to make contributions to any course in which they were not interested, in contrast to dictatorship countries, the people of the United States would be very doubtful about giving money for educational reconstruction in a country where their own organizations and people who represented their own interests could not see how the money was being spent. I gave him no encouragement whatever.

He told me at that time, and when he came to Washington he called me on the telephone and told me again, that he wanted to meet my husband while he was in Washington because he had letters, so he said, from two or three people whom my husband had known and whom my husband knew as anti-Communist, so I said, "Well, when you come to Washington, if you wish to call on my husband you call on him," knowing perfectly well that my husband was adequate to take care of such a situation.

After the return from the Mexico City Conference—I do not recall just when it was—I had a telephone call which was started by Mr. Florian, a member of the Hungarian staff here, who was later asked to leave the United States. He told me that Mr. Ferenczi wished to speak to me. Mr. Ferenczi spoke to me. He told me that on his trip to Washington his briefcase had been lost so he didn't have the letters to present to my husband, but he wanted to see him anyhow, to go on with the efforts he had started before the Communist coup to suggest to the Rockefeller Foundation that they look into the possibility of getting assistance to the scientific institutions of Hungary. That was before the Communist coup.

After the Communist regime came into power, naturally my husband had no more interest whatever in trying to get the Rockefeller Foundation or anybody else to give money to Hungary.

Mr. Ferenczi went to see my husband, and the consequence—which I have no reason on earth to believe was anything but the truth—was that he discussed this question of the Rockefeller Foundation, and my husband said that under the circumstances he could not do anything about it.

Subsequently, some time later, I was told by someone—my husband was not told this; I was—some of the people in the Legation that Mr. Ferenezi and Mr. Florian had discussed very seriously the possibility, and had discussed it as a matter of something that they could use as revenge on my husband, of revealing to the public my husband's long-ago Communist connection. However, another member of the staff dissuaded them from publishing this material, on the point that when a man had worked hard and achieved as much as my husband had done, there was no reason, and it was unfair, to bring up something that existed long ago in his past, and that had no influence whatever on his present life—quite the contrary.

That is the story of my contacts with Mr. Ferenezi. I knew he was a person not to be trusted. I never did trust him and I would not trust him.

Senator HICKENLOOPER. I think that is all, Mr. Chairman.

Senator TYDINGS. I would like to ask at this point, so long as your husband has come into this controversy, or this hearing, rather, to your knowledge has your husband ever been an employee of the State Department?

Mrs. BRUNAUER. No, sir; he has not.

Senator TYDINGS. He has not?

Mrs. BRUNAUER. No, sir.

Senator TYDINGS. Of course, Dr. Brunauer, you realize that the terms of the resolution are that we are to investigate people who have been employed in the State Department.

Mrs. BRUNAUER. Yes, sir.

Senator TYDINGS. We will be very glad, however, to have your husband's testimony, but it will be strictly extracurricular, because our mission and our charge from the Senate consists only of investigating persons against whom charges are heard who now are or have been employees of the State Department.

You are sure that your husband never has been an employee of the State Department?

Mrs. BRUNAUER. I am sure of that, sir, but may I say that one of the main reasons for asking that my husband be heard at a time convenient to the committee is that the charges that were made against him have been used as part of the evidence against me, and I am and have been an employee of the State Department.

Senator TYDINGS. I understand.

Senator HICKENLOOPER. I want to ask three short questions that I overlooked.

What is your salary with the State Department?

Mrs. BRUNAUER. My salary at the present time is \$9,800. I am at the top of the GS-14 scale.

Senator HICKENLOOPER. I believe you covered your employment.

Mrs. BRUNAUER. Yes, sir.

Senator HICKENLOOPER. Who is your immediate superior?

Mrs. BRUNAUER. Mr. Charles Thompson, Director of the UNESCO Relations staff.

Senator HICKENLOOPER. Is that Charles A. Thompson?

Mrs. BRUNAUER. Yes, sir.

Senator HICKENLOOPER. And your husband is with the Navy now, is he?

Mrs. BRUNAUER. My husband is Chief Technical Administrator of Explosives Research and Development in the Bureau of Ordnance of the Navy.

Senator TYDINGO. By the way, Dr. Brunauer, I have received word since this hearing started that a letter is on the way from Admiral Standley and from someone else, presumably commanding you and your patriotism, from the tone of the note I got. I am sorry I do not have the letter. I hope it will arrive before the hearing is over, in which event I will give it to the press. If it arrives late I will put it in the record, with the committee's approval, and give it to the press after that.

I have received several communications and telegrams and phone calls and so on asking that this in substance be read to the committee. This letter is dated March 22, 1950, on the stationery of the American Association of University Women, National Headquarters, 1634 I Street NW, Washington 6, D. C.

MY DEAR MR. TYDINGO: The news reports have carried statements attributed to Senator McCarthy regarding the relationship of Mrs. Esther Cuklin Brunauer to the American Association of University Women, which are entirely erroneous. I beg to take this opportunity of presenting the facts to the committee which is investigating Senator McCarthy's charges, and request that this statement be incorporated in full in the records of the committee.

Senator McCarthy is reported to have said that Mrs. Brunauer was for many years executive secretary of the American Association of University Women; and further, that she was instrumental in "committing this organization to the support of various front enterprises, particularly in the so-called consumer field." Briefly, the facts are as follows: (A more detailed statement is appended.)

In 1927 Mrs. Brunauer was appointed secretary to the association's committee on international relations, and she continued as associate in international education and relations until she left our staff on March 7, 1944.

As the international relations staff member, Mrs. Brunauer prepared study guides and other materials for the use of the association's branches, and otherwise carried out the international relations program of the association. Policies relating to that program were laid down by the national committee on international relations, the board of directors, and the convention of the association. Mrs. Brunauer, as a professional member of the staff, did not make policies.

At no time did Mrs. Brunauer have any connection with the association's consumer program. She was never executive secretary of the American Association of University Women. And further, the accusation that the AAUW in its consumer program supported "front" activities is absolutely untrue, as the appended statement will show.

Mrs. Brunauer's record with the American Association of University Women was marked by personal and professional integrity, devotion to the public good, and loyalty to the Government of the United States. Her techniques were those of the scholar, absolutely impartial and objective in evaluating all facts germane to an international problem.

I have known Mrs. Brunauer intimately since I became general director of the American Association of University Women in 1920. I have never heard her express any sentiment which could be regarded as even faintly disloyal to the Government of the United States or sympathetic to the ideology of communism, nor has any action of hers carried such implication. As a citizen and as an official I know her to be devoted to the highest ideals of American democracy, and I have the utmost confidence in her integrity and loyalty.

As Judge Dorothy Kenyon so well pointed out, the record of any individual should be judged as a whole, and not on the basis of isolated bits of evidence lifted out of context. I trust that your committee will grant Mrs. Brunauer the opportunity to place her full record before you. I am confident that a fair examination of her activities will convince you that she is not only a loyal citizen but a valuable public servant.

May I add that the irresponsible attacks made by Senator McCarthy are not only injuring the individuals concerned; groundless accusations made by a Mem-

ber of the Senate and publicized from coast to coast are bound to lessen the respect of citizens for their highest legislative body.

Respectfully yours,

KATHRYN McHALE, *General Director.*

Appended hereto is a statement of various activities of the American Association of University Women which, unless the committee desires, I will put in the record without further reading, as exhibit 57.

I would like at this time, before deferring to my colleagues again, to read a letter from the Honorable Seth W. Richardson. By the way, this is written on the stationery of the United States Civil Service Commission.

DEAR SENATOR TYDINGS: I have your letter of the 22d.

I regret that the all-inclusive terms of the directive of the President under date of March 13, 1948, in my opinion, prevent me from disclosing to anyone not connected with the operation of the loyalty program the contents of any report, record, or file relative to the loyalty of employees.

May I suggest that if you should desire to pursue the matter further, you address your inquiry to the President.

I have the pleasure to be

Very truly yours,

SETH W. RICHARDSON,
Chairman, Loyalty Review Board.

I regret to inform this committee that I also have a letter from Secretary of State Acheson couched in practically the same language, which came to me this morning, which I would also like to read into the record.

DEPARTMENT OF STATE,
Washington, March 27, 1950.

DEAR SENATOR TYDINGS: In your letter of March 22, 1950, you request that the subcommittee of the Senate Foreign Relations Committee acting under Senate Resolution 231 be permitted to examine the files of the Department of State concerning the nine persons mentioned by Senator McCarthy in open hearing before the subcommittee and the 50 persons against whom charges were made by Senator McCarthy in a speech on the Senate floor on February 20, 1950.

In view of the nature of the investigation and the terms of the resolution, the files which you request would appear to be the loyalty and security files of the Department of State concerning these individuals. The action of the Department in response to your request is therefore governed by the President's directive of March 13, 1948, which provides as follows:

"The efficient and just administration of the employee-loyalty program, under Executive Order No. 9835 of March 21, 1947, requires that reports, records, and files relative to the program be preserved in strict confidence. This is necessary in the interest of our national security and welfare, to preserve the confidential character and sources of information furnished, and to protect Government personnel against the dissemination of unfounded or disproved allegations. It is necessary also in order to insure the fair and just disposition of loyalty cases.

"For these reasons, and in accordance with the long-established policy that reports rendered by the Federal Bureau of Investigation and other investigative agencies of the executive branch are to be regarded as confidential, all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies) shall be maintained in confidence; and shall not be transmitted or disclosed except as required in the efficient conduct of business.

"Any subpoena or demand or request for information or files of the nature described, received from sources other than those persons in the executive branch of the Government who are entitled thereto by reason of their official duties, shall be respectfully declined, on the basis of this directive, and the subpoena or demand or other request shall be referred to the Office of the President for such response as the President may determine to be in the public interest in the particular case. There shall be no relaxation of the provisions of this directive except with my express authority."

This Department must, therefore, refer this request to the Office of the President for such response as the President may determine to be in the public interest.

Sincerely yours,

DEAN ACHESON.

Are there any questions, Senator Green, of the witness?

Senator GREEN. No.

Senator McMAHON. I have one question. Dr. Brunauer, I was particularly interested in a letter which you received from Senator Ball.

Mrs. BRUNAUER. Yes, sir.

Senator McMAHON. Has your association with Senator Ball been over some period?

Mrs. BRUNAUER. Yes, sir; since 1943.

Senator McMAHON. I believe you referred to him as a neighbor?

Mrs. BRUNAUER. He is also a neighbor, but we discovered the fact that the Balls lived near us after we had made public contact. The acquaintance began in 1943, when Senator Ball, together with Senators Hatch, Burton, and Hale, presented the popularly called "B2H2" resolution on international organization. The American Association of University Women for a generation had supported and urged international organization, so I got into contact with Senator Ball and held a number of conferences about his proposal, and from that time on we have known the Balls, though our personal friendship came a little later. We have been personally acquainted since about—I don't know exactly when we started our personal contacts.

Senator McMAHON. Those contacts have been rather frequently through the years?

Mrs. BRUNAUER. Yes, through our being at the Balls' home and their visiting at our home. They live about three blocks from us.

Senator McMAHON. You put only part of this letter in the record.

Mrs. BRUNAUER. I would be glad to put it all in the record.

Senator McMAHON. I think it would be well if you would put it all in the record. Will you read it?

Mrs. BRUNAUER (reading):

Re Esther and Stephen Brunauer.

My DEAR SENATOR TYDINGS. I was considerably startled to read that Mr. and Mrs. Brunauer had been accused of Communist leanings and disloyalty before your subcommittee.

As you may perhaps recall, I helped as a member of the Senate Appropriations Committee in the Eightieth Congress to initiate investigations which I believe assisted the State Department in eliminating employees who had demonstrated Communist leanings or were shown to be poor security risks. I am as anxious as anyone to rid our Government of any employees whose loyalty is doubtful. However, erroneous accusations, even though made in good faith, hurt that objective more than they help it.

I am convinced the accusations against the Brunauers are completely erroneous.

I first met the Brunauers in 1943, and Mrs. Ball and I have known both of them intimately since 1945. We live only a few blocks apart here in Washington and have spent many evenings together. Our conversations inevitably have dealt at length with politics, with international problems and issues, and with the so-called cold war.

In all of our many hours of conversation, neither Esther nor Stephen has ever revealed the slightest indication of Communist attitudes. On the contrary, both of them are most strongly opposed to the ideology and practices of communism. As you know, Stephen Brunauer was born in Hungary and spent his youth there. Many of his boyhood friends have been victims of Communist dictatorship. He is perhaps the most violently anti-Communist person I know.

I have no hesitation in vouching for the complete loyalty of Stephen and Esther Brunauer to the United States and to our way of life.

With best regards

Yours sincerely,

JOSEPH H. BALL.

Senator McMAHON. Thank you very much.

Another letter was just handed to me. It is a letter from Senator Benton. May I read that at this point, sir?

Senator TYDINGS. You certainly may.

Senator McMAHON (reading):

In response to an appeal I have received from Mrs. Esther Brunauer, I am glad to attest to the fact that I knew her well while I served as Assistant Secretary of State. Indeed she worked closely with me, and played a most important role in all of the early developments which led to the formation of the United Nations Educational, Scientific and Cultural Organization. She gave me guidance and counsel on the negotiations and policy questions upon which I leaned heavily. I saw her a great deal and there was not only no remote indication of any pro-Communist leanings but, on the contrary, I remember the vigor with which Mrs. Brunauer espoused policies for UNESCO diametrically opposed to those of the U. S. S. R. and its satellites.

I found Mrs. Brunauer to be a most admirable public servant, of the highest character—devoted to her work, intelligent, industrious, persistent, hard-working and courageous. Further, I never saw anything about her to indicate that she was other than discreet, or other than thoroughly loyal to the United States.

As with Ambassador Jessup, to which I referred on the floor of the Senate on Wednesday, I feel that the charges against Mrs. Brunauer—as well as those against Haldore Hanson, who also worked closely with me when I served from 1945 through 1947 as Assistant Secretary of State—are indeed irresponsible.

WILLIAM BENTON,
United States Senate.

Senator HICKENLOOPER. Dr. Brunauer, the letters which have been read, and the list of letters which you read in connection with your statement, did you ask these people to write those letters in your behalf?

Mrs. BRUNAUER. Yes, sir, and I asked them to send them to me so that I could file them, because I was afraid that if they came in singly to the chairman it would give the appearance of something I had no intention whatever of doing, which was to put on a pressure campaign. These letters are furnished in no sense as pressure but simply as a testimony of people who worked with me and know me. Naturally I had to ask them to describe my character, to let you know the sort of person I am, and they have been read in that light, sir.

Senator TYDINGS. You will excuse me while I make this announcement.

I have been asked by members of the press frequently during the morning if I had received a letter from Dr. Bronk, the president of the Johns Hopkins University, Baltimore, Md.

In view of the fact that this has gotten in the press I think it will be fair for me to read the letter so there won't be any misinterpretation of it:

THE JOHNS HOPKINS UNIVERSITY,
Baltimore 18, Md., March 24, 1950.

DEAR SENATOR TYDINGS: Senator McCarthy's recent charges against Owen Lattimore are a matter of serious concern to me and to the university in which Mr. Lattimore holds a responsible position. As you know, Mr. Lattimore is in Afghanistan on a mission for the United Nations and is, therefore, not in a position to answer the charges.

The latest information I have from the United Nations headquarters is that he will leave Afghanistan about March 27. With perfect travel conditions he should be in this country by the 1st of April, but it is probably unsafe to anticipate his return until some time toward the end of the first week in April.

I am sure that you will agree with me that both the national interest and simple justice require that Mr. Lattimore be given the earliest possible opportunity to appear before your committee. I hope that he will be permitted to do so immediately upon his return.

Yours sincerely,

DETLEY W. BRONK,

Of course we will give Dr. Lattimore an opportunity when he does get back to familiarize himself with what is going on here, and a chance to be heard.

Without objection, the committee will stand in recess until 3:30 this afternoon.

(Whereupon, at 12 noon, the committee recessed until 3:30 p. m. of the same day.)

AFTER RECESS

(The hearing was resumed at the expiration of the recess, at 3:30 p. m., Senator Millard E. Tydings, chairman of the subcommittee.)

Present: As previously noted, plus Senator Lodge.

Senator TYDINGS. Before going on with the witnesses the chairman would like to make two announcements.

I have received word that Mr. Owen Lattimore, who was mentioned in some of the open hearings here as one of the accused, is on his way back to the United States; that it is estimated he will arrive here either on the 31st of March or the 1st of April.

After consultation with the committee, we have set April 4, Tuesday, as the tentative date to hear Mr. Lattimore in this room. In the event, after Mr. Lattimore returns, he would like a day or so more to absorb the evidence that has been stated against him, the committee will, of course, give him that time. But we are setting April 4 tentatively as the date to hear Mr. Lattimore.

The second announcement is as follows, that any person desiring to ask any of the persons who are accused any question which is pertinent to this inquiry, if he will submit in writing the question he desires to have put to the witness, the committee will ascertain whether the questions are relevant and pertinent, and if so, the committee will ask the questions, or such member of the committee as is requested will ask the question of the witness. The same right will be given to witnesses to ask questions through the medium of the committee of persons who have accused them of acts or Communist leanings, of the fact that they are Communists or not. We will take their questions in the same category.

We are very glad to have with us this afternoon Attorney General McGrath and Mr. J. Edgar Hoover, head of the FBI. Which of you gentlemen prefers to testify first?

Attorney General MCGRATH. I should prefer to make my statement first, Mr. Chairman.

Senator TYDINGS. General McGrath, in view of the fact that the committee has the policy of swearing all witnesses who come before it, I would be grateful if you would rise while I administer the oath.

Do you solemnly promise and declare that the evidence you shall give in the pending matter before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Attorney General McGrath. I do.

Senator TYDINGS. Take a seat, General. You may proceed in your own way, and at your request no questions will be asked until you have read your statement. Proceed, sir.

STATEMENT OF HON. J. HOWARD McGRATH, ATTORNEY GENERAL

Attorney General McGrath. Mr. Chairman and members of the subcommittee, I appreciate the opportunity of appearing before your committee today, together with the Director of the Federal Bureau of Investigation, in order to discuss with you a serious problem that has arisen in the course of the investigation that you are conducting pursuant to Senate Resolution 231. There has been a great deal of talk about the production before your committee of loyalty and investigative files relating to the persons against whom Senator McCarthy has brought charges of disloyalty. I think that it is well that we should discuss this matter together at this time in the interest of clarifying some of the issues.

I need not remind you that it is only a matter of months since I myself was a Member of that great body of which this committee is a part, the United States Senate. Having had the privilege of serving in the Senate, as well as in the executive branch, I am fully aware and indeed extremely sensible of the degree of cooperation that must exist between the legislative and executive branches of the Government if we are to make our tripartite system of government work.

Cooperation, however, is but one facet of the key to the solution of our problem. If our tripartite system is to work each branch must also carefully avoid encroaching upon the prerogatives of the other. This is such a basic principle that it was recognized as early as the administration of our first President. On February 22 last, the very day on which the Senate agreed to the resolution under which this committee is proceeding, the Farewell Address of President Washington was read in the Senate Chamber. I call your attention to one paragraph of that Address, which appears on page 2158 of the Congressional Record of February 22, and which to me aptly states the principles by which we must be governed. President Washington stated:

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. * * * If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

President Washington was speaking from personal experience with the very problem we now have before us, namely, a request by congressional committee for the production of documents which in the opinion of the executive branch must be held confidential in the public interest. The problem, you see, is as old as our Government itself.

In March of 1792, the House of Representatives adopted a resolution establishing a committee to inquire into the causes of the failure

of the expedition under Maj. Gen. St. Clair, and empowering that committee to call for such papers and records as might be necessary to assist the committee in its inquiries. The House based its right to investigate on its control over the expenditure of public money. When the committee asked the President for papers relating to the campaign, President Washington called a meeting of his Cabinet. Present were Thomas Jefferson, Secretary of State; Alexander Hamilton, Secretary of the Treasury; Henry Knox, Secretary of War; and Edmond Randolph, the Attorney General. The President stated that he had called his Cabinet together because this was the first demand on the Executive for papers within his control and he desired that insofar as the action taken would constitute a precedent, it should be rightly conducted. President Washington readily admitted that he had no doubt of the propriety of what the House was doing, but he did conceive that there might be papers of so secret a nature that they ought not be given up. The President and his Cabinet came to a unanimous conclusion as follows:

First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public.

The precedent there set by President Washington and his Cabinet was followed in 1796 when he refused to comply with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the United States Minister who negotiated a treaty with Great Britain, together with the correspondence and documents relating to that treaty. In declining to comply, President Washington stated:

As it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the various departments should be preserved, a just regard to the Constitution and to the duties of my office forbids a compliance with your request.

It was because of such experiences that President Washington felt called upon to refer, in his Farewell Address, to the importance of maintaining the independence of our separate branches of government. Later, President Jefferson refused to allow two members of his Cabinet to supply documents in the trial of Aaron Burr. In 1832, President Monroe declined to comply with the request of the House of Representatives to transmit to the House certain documents relating to the conduct of naval officers. In 1833, President Jackson refused to comply with a Senate request that he communicate to it a copy of a paper reporting to have been read by him to the heads of the executive departments relating to the removal of the deposits of public money from the Bank of the United States. In 1886, President Cleveland supported his Attorney General's refusal to comply with a Senate resolution calling for documents and papers relating to the removal of a district attorney.

Similarly, in 1843, a resolution of the House of Representatives called upon the Secretary of War to communicate to the House the reports made to the War Department by Lieutenant Colonel Hitchcock relative to the affairs of the Cherokee Indians, together with all information communicated by him concerning the frauds which he had been charged to investigate. The Secretary of War advised the

House that he could not communicate information which Colonel Hitchcock had obtained in confidence, because it would be grossly unjust to the persons who had given the information. The House, however, claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of deliberations of the House. President Tyler, in a message dated January 31, 1843, said in part:

And, although information comes through a proper channel to an executive officer, it may often be of a character to forbid its being made public. The officer charged with a confidential inquiry, and who reports its result under the pledge of confidence which his appointment implies, ought not to be exposed individually to the resentment of those whose conduct may be impugned by the information he collects. The knowledge that such is to be the consequence will inevitably prevent the performances of duties of that character, and thus the Government will be deprived of an important means of investigating the conduct of its agents.

President Tyler also declined to comply with a resolution of the House of Representatives which called upon him and the heads of departments to furnish information regarding such members of the Twenty-sixth and Twenty-seventh Congresses as had applied for office in the executive branch. In so refusing, President Tyler stated:

• Applications for office are in their very nature confidential, and if the reasons assigned for such applications or the names of the applicants were communicated, not only would such implied confidence be wantonly violated but, in addition, it is quite obvious that a mass of vague, incoherent, and personal matter would be made public at a vast consumption of time, money, and trouble without accomplishing or tending in any manner to accomplish, as it appears to me, any useful object connected with a sound and constitutional administration of the Government in any of its branches.

In my judgment, a compliance with the resolution which has been transmitted to me would be a surrender of duties and powers which the Constitution has conferred exclusively on the Executive; and, therefore, such compliance cannot be made by me nor by the heads of departments by my direction.

These are only a few of the precedents to be found in the constitutional history of our Government; many more could be referred to.

Although I have mentioned only a few of the precedents, I might add that almost every President has found it necessary at some time during his administration to decline, for reasons of public policy, to furnish confidential papers to congressional committees. The courts have recognized this constitutional prerogative of the Chief Executive, and the great constitutional scholars uniformly agree that it is for the President to determine what papers and information in the executive branch must be retained in confidence in the public interest. William Howard Taft, following his term as President and prior to his appointment as Chief Justice, summarized the situation succinctly and accurately when he wrote in his book *The Chief Magistrate*:

The President is required by the Constitution from time to time to give to Congress information on the state of the Union, and to recommend for its consideration such measures as he shall judge necessary and expedient, but this does not enable Congress or either House of Congress to elicit from him confidential information which he has acquired for the purpose of enabling him to discharge his constitutional duties, if he does not deem the disclosure of such information prudent or in the public interest.

It is against this background, Mr. Chairman and members of the committee, that we must consider President Truman's directive of March 13, 1948, concerning the confidential nature of loyalty files.

Against this same background we must consider this committee's request for the production of such files.

In his directive, the President stated:

The efficient and just administration of the employee-loyalty program, under Executive Order No. 9835 of March 21, 1947, requires that reports, records, and files relative to the program be preserved in strict confidence. This is necessary in the interest of our national security and welfare, to preserve the confidential character and sources of information furnished, and to protect Government personnel against the dissemination of unfounded or disproved allegations. It is necessary also in order to insure the fair and just disposition of loyalty cases.

For these reasons, and in accordance with the long-established policy that reports rendered by the Federal Bureau of Investigation and other investigative agencies of the executive branch are to be regarded as confidential, all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business.

At the time of issuing this directive, the President specifically referred to some of the precedents that I have mentioned this afternoon and called particular attention to the sound reasons of public policy requiring the maintenance of the confidential status of loyalty files. The President referred to an opinion rendered by Attorney General Jackson at a time when, at the direction of President Roosevelt, he declined to furnish certain reports of the Federal Bureau of Investigation to the House Committee on Naval Affairs. Attorney General Jackson wrote as follows:

Disclosure of the reports could not do otherwise than seriously prejudice law enforcement. Counsel for a defendant or prospective defendant could have no greater help than to know how much or how little information the Government has, and what witnesses or sources of information it can rely upon. This is exactly what these reports are intended to contain.

Disclosure of the reports at this particular time would also prejudice the national defense and be of aid and comfort to the very subversive elements against which you wish to protect the country. For this reason, we have made extraordinary efforts to see that the results of counterespionage activities and intelligence activities of this Department involving those elements are kept within the fewest possible hands. A catalog of persons under investigation or suspicion, and what we know about them, would be of inestimable service to foreign agencies, and information which could be so used cannot be too closely guarded.

Moreover, disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation. As you probably know, much of this information is given in confidence and can only be obtained upon pledge not to disclose its sources. A disclosure of the sources would embarrass informants—sometimes in their employment, sometimes in their social relations, and in extreme cases might even endanger their lives. We regard the keeping of faith with confidential informants as an indispensable condition of future efficiency.

Disclosure of information contained in the reports might also be the grossest kind of injustice to innocent individuals. Investigative reports include leads and suspicions, and sometimes even the statements of malicious or misinformed people. Even though later and more complete reports exonerate the individuals, the use of particular or selected reports might constitute the grossest injustice, and we all know that a correction never catches up with an accusation.

With respect to files which this committee has requested their disclosure would, it seems to me, seriously impair the effectiveness of the employee-loyalty program. It would subject the persons in question to a type of double jeopardy which is contrary to sound concepts of good government, fairness, and justice. It would also make it extremely difficult, if not impossible, for the Federal Bureau of Investigation to perform its investigative duties. The Federal Bureau of

Investigation conducts all investigations under the employee-loyalty program. Loyalty files, therefore, are for all practical purposes FBI files. Mr. Hoover is here to give you his views. He has held these views for many years, views of the damaging effect that would be caused by the disclosure of such files. I know of no one better qualified to speak on this subject. I am in thorough accord with his views in every respect.

It is my opinion, members of the committee, for the reasons stated, that loyalty and investigative files of the Department of Justice should be preserved in strict confidence.

Mr. Chairman, over the week end I gave much thought to the fact that we are all here united in a common effort. There are times when we seem to be falling victims to ancient techniques of divide and conquer. I had thought of making a plea to this committee to permit a sane and logical approach to the very delicate and difficult problems with which we are faced. However, when I picked up the New York Times of this morning, I found that Mr. Henry L. Stimson, our former Secretary of State and War, has said everything that I possibly could say on that subject, and certainly with more eloquence than I could ever bring to my command. I would like at this time, Mr. Chairman, with your permission, to place in the record of this committee this very fine statement of Mr. Stimson, with which I associate myself completely.

Senator TYDINGS. General McGrath, the committee would be very much obliged to you if you would read it into the record, if you do not mind. I think many of us might have missed it. I have missed it myself. So long as we are on one phase of the matter, it might be a good idea to make the record complete.

Attorney General MCGRATH (reading) :

The present charges against the Department of State have not in my view deserved much attention. But the very widespread notice they have received prompts me to make certain comments.

First, this is most emphatically not the proper way to insure loyalty of Government employees. If that had been the real purpose of the accuser, he would have used the fully developed and tested procedure of the executive branch of the Government, under which charges are investigated and weighed by men of both parties and unimpeachable integrity. Any constructive result which may eventuate from the present charges would have been achieved far more surely and effectively by use of the existing procedures. The fact that the accuser has wholly ignored this well-established method indicates that his interest is of a different character.

Second, no matter what else may occur, the present charges have already spattered mud upon individuals of the highest integrity, and in the present state of the world the denial cannot always overtake the accusation. It should by now be wholly clear that indiscriminate accusations of this sort are doubly offensive; they damage the innocent and they help protect the guilty. For, if the accuser is so stupid as to connect a man like Ambassador Jessup with communism, are not all such accusations made suspect?

Third, and more important by far, the method of the present charges directly and dangerously impedes the conduct of the foreign affairs of our Government. It creates abroad a feeling that we are frightened and suspicious of each other; it diverts our attention, at home, from the genuine and pressing problems of our foreign affairs; it requires of many high officials that they desert their proper duties in order to prepare and deliver such extensive replies as that of Mr. Jessup. Not one of these effects would have resulted from a disinterested study of the loyalty of any suspected State Department employee; each of them is the direct result of the manner in which these charges have been made.

Fourth, it seems to me quite clear that the real motive of the accuser in this case is to cast discredit upon the Secretary of State of the United States. This

man is not trying to get rid of known Communists in the State Department; he is hoping against hope that he will find some. Fortunately, the Secretary of State needs no defense from me. No one who knows his extraordinary record of able and disinterested public service can believe that he is in any danger from these little men. It is already obvious that in any test of personal confidence the men of honor, in both parties, will choose to stand with the Secretary.

But there is more at stake in this matter than the rise or fall of individuals. What is at stake is the effective conduct of our foreign policy.

Every Secretary of State, second only to his President, and alone among appointive officers of the Government, stands before the world as the representative of the United States of America. No man who holds this office can fail to feel the extraordinary responsibility he carries for service to the country and its peace. No man has a greater right to ask the sympathetic support and the cooperation of his fellow-citizens, and none is more properly exempt from the ordinary trials of politics. The man who seeks to gain political advantage from personal attack on a Secretary of State is a man who seeks political advantage from damage to his country.

The American Government, led by the President and the Secretary of State, is currently engaged in a major effort to give leadership to the country in a time of changing international conditions and grave world tension. This effort will require as part of our democratic process widespread and earnest public consideration of the great problems now before us, so that the ultimate decision will surely reflect the basic steadiness and faith of our people. In such public consideration there is always room for honest differences, but now, as for many years past, the formulation of foreign policy most urgently demands an adjournment of mere partisanship.

This is no time to let the noisy antics of a few upset the steady purpose of our country or distract our leaders from their proper tasks. This is rather a time for stern rebuke of such antics and outspoken support of the distinguished public servants against whom they are directed.

HENRY L. STIMSON.

HUNTINGTON, L. I., March 24, 1950.

Senator TYDINGS. Thank you, General.

Have you any questions, Senator Green?

Senator GREEN. No questions.

Senator TYDINGS. Senator Hickenlooper, have you any questions?

Senator HICKENLOOPER. Yes; I would like to ask a few questions.

General McGrath, you have made it clear that you in your authority over your Department will not give this subcommittee access to the loyalty and investigative files in the specific list of names that have already been requested.

Attorney General McGRATH. I am prevented from doing so by the President's Executive order. I speak in this regard for myself. The President has not directed me to turn over the files, and only on a Presidential direction would I do so.

Senator HICKENLOOPER. I am referring to your statement. I do not want to labor this point, but I am merely stating my conclusions. On page 5, near the bottom, and it is all through there, through several pages, you refer to these precedents on which refusal has been made, and I take it now that that is your position.

Attorney General McGRATH. Yes, sir.

Senator HICKENLOOPER. Do you take the position, General McGrath, that the turning over of these files to a subcommittee of the Senate which has made no suggestion that under any circumstances it would attempt to make any part of these files public is considered a substantial risk, that the integrity involved is such that the risk would be great of surreptitious disclosure of the contents of those files?

Attorney General McGRATH. The risk can be one of degree, depending on the type of committee, of course. The thing that is im-

portant is to not break the principle, because when the principle is broken for one committee there is no way that you can refuse other committees of the Congress. The executive offices of the Government are not in a position to judge between the integrities of members of varying committees that may be appointed by the Congress from time to time.

Senator HICKENLOOPER. Do you know how many clerks and other minor officials have access to these confidential files in the Department of the Federal Bureau of Investigation, or agents or others who are employees?

Attorney General McGrath. I will say this. Mr. Hoover is here and he can answer that question, but I will say this to the Senators, that even the top officers of the Department have very rarely, if at all, ever seen the files, the raw files, of the Bureau of Investigation. When we want information from those files we request it of the Bureau and it is given to us in memorandum file, and we never go near the raw files because he holds them in such sacred trust.

Senator HICKENLOOPER. There are, nevertheless, people in your Department who can have, if occasion demands it in your judgment, access to those files?

Attorney General McGrath. Anyone can have excess to the files that Mr. Hoover will permit to see the files or the Attorney General may direct that they be seen.

Senator HICKENLOOPER. Mr. Hoover is subordinate to you in the Department of Justice, is he not?

Attorney General McGrath. Yes, he is.

Senator HICKENLOOPER. Therefore, your orders to him would be controlling in his official actions, would they not?

Attorney General McGrath. I don't think I would give Mr. Hoover any orders. I think we would counsel together and I am sure we would come to the same conclusions.

Senator HICKENLOOPER. I understand your relationships are very cordial. I am asking a question with regard to the technical flow, the chain of command. If you issue an order in your official capacity to him in his, it would be his duty as a subordinate Department within your Department to obey that order, would it not?

Attorney General McGrath. I believe it would be, and I believe Mr. Hoover would obey it.

Senator HICKENLOOPER. I have no doubt he would.

Now then, may I ask you this: Do you consider the turning over of certain specific files for confidential information, without any proposition of making those files public, to a subcommittee of, for instance, the Foreign Relations Committee of the Senate, to be a hazard and a risk of publicity of those files that exceeds the hazard and risk of publicity of subordinate employees in the Federal Bureau of Investigation or in other departments of your Department which might have access to them?

Attorney General McGrath. I am not going to pass judgment on the integrity of this committee or any other committee of Congress. I say that there is great risk involved in breaking the principle that these files should not be made available.

Senator HICKENLOOPER. General McGrath, let me ask you this question: Do you know whether or not confidential investigative files

have ever been turned over for access to congressional committees and for examination by congressional committees?

Attorney General McGRATH. I think I may say with certainty that the raw files have never been turned over. There have from time to time been submitted to committees reports prepared by the Federal Bureau of Investigation indicating the information that may be contained in the files.

Senator HICKENLOOPER. Are you aware whether or not the Judiciary Committee of the Senate has for a number of years requested and received investigative reports, especially in the case of Federal judges, from the Federal Bureau of Investigation?

Attorney General McGRATH. It does with the authorization of the President and the approval of the Attorney General. That is quite a different situation. When a man presents himself for the favor of a Presidential appointment to the judiciary of the United States, we feel that he should be willing that that be done, and that no damage can come to him. He should be willing to have the committee which passes on his qualifications for this lifetime job see his file. In that instance an exception is made and the chairman of the Judiciary Committee is permitted to see a summary of the file as prepared by the Federal Bureau of Investigation, not the raw file. Never the raw file.

Senator TYDINGS. Do I understand you to say that in the case of these judges the raw file is not turned over, only a summary of what is in the file?

Attorney General McGRATH. That is correct.

Senator HICKENLOOPER. In pursuing that just a step further, by the "raw file" I take it you mean the file containing the actual names and identification, for instance, of all informants; in other words, the complete background of all information.

Attorney General McGRATH. I mean by the "raw file" everything that the Department has on the subject of an investigation goes into the file—the notes of the interviewers, statements that are made by those that are interviewed, exhibits, all such material as that goes into what we call the raw file. These raw files in some instances run into many volumes and into many filing cabinets.

Senator HICKENLOOPER. But in the summary of these files, which may or may not contain actual names of informants, for instance, all of the information in the raw file is presumably digested for the information of those who examine the digest and the report.

Attorney General McGRATH. It is evaluated, yes, and put into a narrative form.

Senator HICKENLOOPER. And do you know whether Appropriations Committees of the House and Senate have on occasion been given access to the investigative files of the Federal Bureau of Investigation?

Attorney General McGRATH. Not to my knowledge. I have no knowledge that that is so.

Senator HICKENLOOPER. General McGrath, I notice in your statement that there runs through it consistently in the precedents "resisting the turning over of investigative files or summaries of these files." By the way, I take it that your objection would go just the same to turning over the summarization of the files, as is customarily done, for instance, for the Judiciary Committee. Your objection would go

just the same to turning over a summarization of the files by the Federal Bureau of Investigation to this subcommittee?

Attorney General McGRATH. I think the situation is different here than it is in the case of the Judiciary Committee considering the life appointment of a Federal judge. My objection runs to turning over a summary of the files.

Senator HICKENLOOPER. I say this without any declaration one way or the other, but it is entirely possible that there are occasions when the very lifeblood of this country depends upon certain information which may be acquired in proper places, as well as the lifetime appointment of a judge.

Attorney General McGRATH. Such a situation could arise and the President has the power to make an exception if he sees fit to do it.

I was going to suggest that we are probably covering some ground that may be the subject of the Director's testimony, and while I am merely suggesting to you that Mr. Hoover be permitted to make his statement and I shall be glad to answer any questions after that, I only make that suggestion in the interest of probably saving some time, as he in discussing the procedures of his Department may have the answers to some of these questions.

Senator HICKENLOOPER. I have just a few other questions, but then other members of the committee may want to question the General, and I do not want to take an undue amount of time at this time.

Senator TYDINGS. Proceed in any way you wish, but I would like to say Mr. Hoover will testify immediately following General McGrath, and many of the technical things Mr. Hoover could perhaps answer in more detailed fashion than General McGrath. Whatever way you wish to proceed will be proper.

Senator HICKENLOOPER. Especially with reference to the matter I was mentioning a moment ago, about the confidential nature of the receipt of information in these files, at the bottom of page 8 you again emphasize as follows:

With respect to files which this committee has requested, their disclosure would, it seems to me, seriously impair the effectiveness of the employee loyalty program.

Attorney General McGRATH. That is correct.

Senator HICKENLOOPER. I merely emphasize that because so much of the objection to this has been bottomed on the fact that this subcommittee is going to take the files and disclose what is in the files.

Attorney General McGRATH. This committee has requested access to the raw files and it has requested the right of its staff members to go into its files, and that we very strongly object to.

Senator HICKENLOOPER. May I ask you this: If the subcommittee modified its request and said, "We want to have delivered to us for our examination the customary and standard summarization of the raw files, such as is ordinarily made up by the Federal Bureau of Investigation for these various groups," would that change the picture any?

Attorney General McGRATH. It doesn't to my mind. I would like you to direct that question to Mr. Hoover after he finishes his statement.

Senator HICKENLOOPER. The Federal Bureau of Investigation is not a constitutional department, isn't that true? It was, that is,

created by an act of Congress? It has a longer history than that, but it is now operating as a result of legislative recognition?

Attorney General McGRATH. It is part of the executive branch of the Government.

Senator HICKENLOOPER. And it gets its authority as a result of statute at the present time?

Attorney General McGRATH. The same way that the Department of Justice gets its authority. It was created by an act of Congress.

Senator HICKENLOOPER. Could the Congress abolish the Federal Bureau of Investigation and its activities, do you believe?

Attorney General McGRATH. Yes, it could, and it could abolish the Department of Justice if it wishes to.

Senator HICKENLOOPER. Could it abolish the Civil Service Commission by an act of Congress?

Attorney General McGRATH. Yes, it could.

Senator HICKENLOOPER. Do you hold that the Congress can direct the duties and the activities of departments and agencies which it has the authority to set up?

Attorney General McGRATH. Congress can make the laws that govern the executive agencies. The President administers those laws.

Senator HICKENLOOPER. And, for instance, I take it that you agree that Congress in setting up an agency, or a department, even though Congress may elect to put that department under the executive branch of Government for convenience of administration or for other purposes, has the right, in the law that sets up that department, to prescribe the duties of that department which it creates?

Attorney General McGRATH. It can prescribe them within the limits of the Constitution. If it creates an executive agency it must leave it to the President to administer that agency. It cannot keep it within the legislative branch. If the Congress wished to create a Bureau of Investigation that was part of the legislative branch of Government, I suppose it could do that, if it would justify its needs as an aid to the functions of the legislative branch. It has not seen fit to do that, however. It has created an independent agency in the executive branch, and therefore, under the Constitution the power of administration passes on to the President.

Senator HICKENLOOPER. Do you consider that Congress in setting up an agency of government can require that agency to make reports to Congress periodically?

Attorney General McGRATH. It can go to some extent. It cannot go to the extent which is indicated here by your request for files of this kind. I think that would be decided by the courts to be an encroachment upon the executive function. I think such an attempt would be struck down.

Senator HICKENLOOPER. Do you believe that Congress could create an investigative agency and in the act creating it say that it shall investigate and inquire into certain activities of individuals and businesses and make periodic reports to the Congress, meanwhile putting that agency in the executive department for administrative purposes?

Attorney General McGRATH. No. If it puts it in the executive branch, then it cannot require it to give its reports to the Congress unless the President sees fit to permit it. If the Congress wishes an agency of that kind, it can establish it as part of the legislative branch

of government, and then the Executive has no control over it whatsoever.

Senator HICKENLOOPER. Then I take it that the reports of the Immigration Service and of the Federal Communications Commission and all of the rest of the agencies of government that are required by law to make periodic reports to the Congress are being made only at the sufferance of the President, according to your view?

Attorney General McGrath. The President could make a finding that it was not in the public interest in a particular instance to make those reports available and prevent them from being made. He would have to make that finding, however. It is not reasonable to suppose that a President is going to make a finding in matters of that kind. He has to reach the conclusion that the making of a particular report is or is not in the public interest.

I may remind the members of the committee that the Congress itself is pretty jealous of its prerogatives. Only 2 weeks ago one of the Federal courts issued a subpoena to the House of Representatives to produce the minutes of a meeting of a committee of the House of Representatives, and the committee politely refused to submit to the subpoena, and sent word to the court that the judicial branch of the Government had no control over the legislative branch, and indeed I am sure the committee of the House of Representatives was correct.

Senator HICKENLOOPER. Well, I don't care to argue that point, particularly. I call your attention to the fact that these Federal agencies that we have been referring to have been created by the Congress and their duties have been prescribed by the Congress. The Congress was not created by this Federal court, and it does not get its authority nor its power from the Federal court.

Attorney General McGrath. Once Congress conceives them, and brings them into being, they take on a different character. Once Congress is through with the law creating them, they then pass to the control of the Executive, and they are from thenceforth part of the executive branch of the Government, which is quite independent of the legislative branch.

Senator HICKENLOOPER. I suppose that the legal interpretation of that would have to rest with the courts anyway, and I do not care to burden you with further discussion on this matter.

Attorney General McGrath. I think the courts have been passing on that for 150 years, and there isn't a dissent that I know of.

Senator HICKENLOOPER. I think that there is very excellent argument that does not quite sustain your position, but then there is argument that can be used to sustain it also.

It is a close question, and I think this particular question has never been squarely passed on by the courts. But I merely wanted to get the position of your Department firmly fixed as to your Department's rejection of the request of this subcommittee for a delivery of either the raw files or, wanting that, the summarized files, which are not so-called raw files of the Department.

I believe that that is all the questions I have.

Senator TYDINGS. Senator McMahon, have you any questions?

Senator McMAHON. I have a question or two for the Attorney General, but I would prefer to ask him after Mr. Hoover finishes his testimony.

Senator TYDINGS. Will you remain with us until Mr. Hoover finishes his testimony, Mr. McGrath?

Attorney General McGRATH. I certainly will.

Senator TYDINGS. Senator Lodge, have you any questions?

Senator LODGE. Yes, I have one.

Senator TYDINGS. Go ahead.

Senator LODGE. Have the raw files ever been made available to a court?

Attorney General McGRATH. In the Coplon case, I think perhaps Mr. Hoover can answer that. No request has ever come to me since I have been Attorney General for a raw file, but Mr. Hoover has had 25 years' or more experience in these matters, and he probably would be able to answer your question.

Senator LODGE. I wondered if there was any inconsistency between their making the raw file available to the court and not making it available to the Congress.

Attorney General McGRATH. If it was made available in the Coplon trial, and I am not sure that it was, it would have been done with the consent of the President via the Attorney General. I happen to know there were considerable differences of opinion as to whether the Government should have made as many files available in that case as it did. Whether it was the complete raw file or not, I don't know.

Senator LONGE. Your statement applies only, does it not, to FBI files, and not to State Department files or Civil Service files?

Attorney General McGRATH. Oh, yes, Senator. I have nothing to do with the files of the other departments, except that we would object to your securing those files if they contained our FBI reports, which I think they do, because the FBI is the agency that does all of the investigating for the loyalty program. We would have no objection, of course, to your obtaining the personnel files of any department. We have no objection to your obtaining the Civil Service Commission files on employees, so long as those files contain no part of the Federal Bureau of Investigation's work.

Senator LONGE. Thank you. That is all.

Senator TYDINGS. Mr. Hoover, will you rise and hold up your right hand?

Do you solemnly promise that the evidence you shall give in this case as outlined in Senate Resolution 281 shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOOVER. I do.

Senator TYDINGS. Take a seat, sir.

Before you begin testifying, Mr. Hoover, I want to take this occasion to thank both Attorney General McGrath and you, sir, for accepting my invitation to come up here today and give your personal viewpoints on the matter that is pending before this committee.

Senator HICKENLOOPER. Mr. Chairman, just before Mr. Hoover testifies, I was handed a memorandum at the door as I came in from Senator McCarthy's office. It is as follows, on his stationery:

MEMORANDUM

To: Senator Bourke Hickenlooper.

From: Senator Joe McCarthy.

I would appreciate it very much if you would inform J. Edgar Hoover that I deeply regret that I shall be unable to hear his testimony this afternoon because

of the fact that I am completely and inescapably tied up with the preparation of material which I expect to present on the Senate floor tomorrow.

I am sure that Mr. Hoover will understand that my absence under the circumstances does not even remotely indicate any lack of interest in his testimony. I shall obtain his testimony at the earliest possible moment for careful study.

Will you also inform Mr. Hoover that I shall greatly appreciate it if he will have one of his agents available when I address the Senate tomorrow so that I may turn over to him documents in the Latimore case which I consider of some importance. Thank you.

JOE McCARTHY.

Mr. Hoover. That request will be complied with.

Senator TYDINGS. Mr. Hoover, will you proceed in your own way? We will not interrupt you.

STATEMENT OF HON. J. EDGAR HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Mr. Hoover. In the 20 years during which I have been privileged to serve as Director of the Federal Bureau of Investigation, I have always maintained the view that if we were to fully discharge the serious responsibilities imposed upon us, the confidential character of our files must be inviolate.

A cardinal principle of success for any agency having a responsibility for investigations is its ability to secure information. To do that, it must be able to maintain confidences. Any person furnishing information must have the security of knowing that when he furnishes information on a confidential basis, he will not at a later date find that confidence broken. When that occurs, the ability of the investigative agency to discharge its responsibilities in the future is materially lessened.

The public record clearly proves that the Federal Bureau of Investigation, because it does maintain confidences, has been able to develop valuable sources of information which have a direct bearing on the internal security of the Nation. I need refer only to the Government witnesses who testified in the trial of the 11 Communists leaders in New York last summer. Seven of these witnesses risked their lives as undercover employees of the FBI.

The question of opening the files of the FBI involves a grave matter of principle. In taking the position that the files of the FBI should remain inviolate, I would not, of course, presume to discuss files other than those of the Federal Bureau of Investigation.

These files contain complaints, allegations, facts, and statements of all persons interviewed. Depending upon the purpose of the investigation, particularly in security cases, they contain, not only background data on the individual but details of his private life which bear upon the investigation. In these files also are the identities of our confidential sources of information and full details of investigative techniques. In short, they consist of a running account of all that transpires.

A file is maintained in each case because the FBI has received information, allegations, or a complaint which if proven comes within the sphere of our responsibility, in pursuance of either congressional or Executive directives. After the investigation is completed, when indicated by Department procedure or judgment, a summary of the facts developed is furnished to the Department of Justice or United

States attorneys. In other types of investigations, the reports of special agents are submitted to the interested agency of the Government. Details and information dealing with administrative operations and confidential sources of information remain in our files. The contents of these files were never intended to be disclosed and, unless we drastically change or circumscribe our procedures, they should not be disclosed.

The question of divulging contents of the files of agencies of government is not a new one. When confronted with the question of divulging the files of an executive department of the Government in 1909, the late President Theodore Roosevelt said:

Some of these facts * * * were given to the Government under the seal of secrecy and cannot be divulged and I will see to it that the word of this Government to the individual is kept sacred.

The disclosure of the contents of the files of the FBI would reveal confidential procedures and techniques. If spread upon the record, criminals, foreign agents, subversives, and others would be forewarned and would seek methods to carry out their activities by avoiding detection and thus defeat the very purposes for which the FBI was created. Each exception undermines this principle, establishes a precedent, and would result in a complete collapse of a traditional policy which has proven its soundness.

A disclosure of FBI reports would reveal the identity of confidential sources of information and, if it did not place the lives of such persons in actual jeopardy, it would certainly ruin their future value and effectiveness.

The disclosure of FBI reports would make otherwise patriotic citizens reluctant to furnish information. Already, as a result of some unfortunate disclosures of our files in court proceedings, our special agents frequently are being told by persons from whom they seek information that they will decline to be interviewed for fear the information will be misused by some agency other than the FBI.

In the conduct of official investigations, information of a highly restricted nature having a direct bearing upon national security often finds its way into the files, which, if disclosed, would be of considerable value to a foreign power. Increasingly, we have observed efforts of a foreign power to seek intimate personal details concerning many of our leaders in government and industry. They should not be aided by having these details made public for their use and advantage, thereby crippling the important work of the FBI.

So far, I have directed my remarks against a disclosure of FBI files on security grounds. There are other compelling reasons why the files of the FBI should remain inviolate. For the want of a more apt comparison, our files can be compared to the notes of a newspaper reporter before he has culled through the printable material from the unprintable. The files do not consist of proven information alone. The files must be viewed as a whole. One report may allege crimes of a most despicable type, and the truth or falsity of these charges may not emerge until several reports are studied, further investigation made, and the wheat separated from the chaff.

I, for one, would want no part of an investigative organization which had the power of discretion to decide what information would be reported and what would be omitted. An item of information

which appears unimportant today may provide the solution of a case when considered with information received at a later date, or it may later establish the innocence of the accused.

Should a given file be disclosed, the issue would be a far broader one than concerns the subject of the investigation. Names of persons who by force of circumstance entered into the investigation might well be innocent of any wrong. To publicize their names, without the explanation of their associations, would be a grave injustice. Even though they were given an opportunity to later give their explanation, the fact remains that truth seldom, if ever, catches up with charges. I would not want to be a party to any action which would smear innocent individuals for the rest of their lives. We cannot disregard the fundamental principles of common decency and the application of basic American rights of fair play in the administration of the Federal Bureau of Investigation.

The FBI has the obligation, within the scope of Federal law, not only to protect the rights, lives, and property of our people, but also to protect the confidential relationship of the individual when he patriotically serves his Government by providing information essential to our security.

FBI reports set forth all details secured from a witness. If those details were disclosed, they could become subject to misinterpretation, they could be quoted out of context, or they could be used to thwart truth, distort half-truths, and misrepresent facts. The raw material, the allegations, the details of associations, and compilation of information in FBI files must be considered as a whole. They are of value to an investigator in the discharge of his duty. These files were never intended to be used in any other manner and the public interest would not be served by the disclosure of their contents.

In taking this stand, I want to reiterate a principle is involved. I would take this same stand before the Attorney General, as I already have, or before any other body. The fact that I have great respect, confidence, and a desire to be of assistance to a committee of distinguished Senators, however, in no way detracts from a principle. I say this because I do not want any misinterpretation of my remarks, nor do I want it said that this and other committees of Congress do not have my respect and confidence. I would, however, be derelict to my duty, untrue to my conscience, and unworthy of my trust if I took any other position.

Senator TYDINGS. Thank you, Mr. Hoover.

Senator Green?

Senator GREEN. Mr. Hoover, there has been a good deal of evidence, although no direct statement, to the effect that the process of screening these respective individuals is entirely inadequate. Will you give the committee a description of what screening is done from the bottom up?

Mr. HOOVER. Do you mean in these loyalty cases? Are you referring to those?

Senator GREEN. Yes.

Mr. HOOVER. In the loyalty cases the procedure which is followed is for the Civil Service Commission to send to us various loyalty forms of the employees of the Government. Those forms are first searched against the name files of the FBI, and if in the name check there is found any reference to subversive activities, or activities of a

disloyal character, that loyalty form is returned to the Civil Service Commission with the notation that an investigation has been opened. If there has been no disloyalty information developed from that check, the notation is made "No disloyal data—FBI files."

In the first group of cases, those upon which we find evidence of subversive activities, we initiate a full field investigation. A case is sent out to our appropriate offices, and information is developed as to his background and the allegations which are or may already be in the files of the FBI. Those reports are sent in to the Bureau and are there reviewed.

The report as you see it in the Bureau, the working file or the raw file, will contain the identity of all informants, the source of the information, and the method by which it was received. The report is then digested, and transmitted to the Civil Service Commission with administrative details and confidential sources remaining in our files.

In the cases where informants are willing to appear and testify, their identities are set forth. In cases where they do not wish to have their identities disclosed, they are designated by a symbol.

I may say for your benefit, Senator Green, that that procedure of not disclosing the informant was not my decision, it was the decision of the Presidential Loyalty Review Board, which decided that the identities would be kept confidential in those cases in which the informant desired that there was anything to be kept in such confidence.

The reports upon a particular case go to the Civil Service Commission. They in turn, I understand, refer them to the agency of the Government in which the employee is at the time assigned, and that agency will review those reports and the Loyalty Board will in due time have a hearing and accord the employee the opportunity to be present with counsel and to answer such questions and charges as the Board may prefer. If they desire any agent of the Federal Bureau of Investigation to appear at those hearings to testify as to matters of which the agent may have first-hand knowledge, and not hearsay information, agents appear and testify.

Then the employee, if he is found to be disloyal under the Presidential directive, has a right of appeal to the Presidential Loyalty Board. That is a very general statement. There are a lot of minor steps I have omitted for purposes of brevity.

SENATOR GREEN. That is a rather elaborate course of screening.

MR. HOOVER. Yes; I would say it is a rather elaborate course of screening.

SENATOR GREEN. Is it a course which you would say was easily adopted?

MR. HOOVER. I think it was the most practical program that could be adopted at the time it was adopted. Maybe there are a few kinks in the program that could be ironed out. The President has at all times been studying that. I know very recently he requested the Attorney General and myself to offer any suggestions or views that would be of assistance toward improving or tightening that program. We have given earnest consideration to that. I think all in all it was a very fair procedure.

In the early stages of the loyalty program, Senator Green, there was a great hue and cry on the part of some of these pseudo liberals that it was a so-called "thought control" or "thought policing." It

has been found after checking over 2,000,000 loyalty forms that there have been very few abuses, if any, that have actually taken place, either in the investigating or the hearings that have been reported, and in the investigations where there was some minor slip, corrective measures have been, of course, taken.

I think it has worked very well and I think that is the consensus of the better thinking members of the press who have had an opportunity to view it and observe it first hand.

Senator GREEN. I thank you very much for that statement, because I think it will restore confidence on the part of a great many people where it has been somewhat shaken.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. I notice again in your statement, as I noticed in the Attorney General's statement, a repeated and continued emphasis upon the opening of files for public disclosure. It has never been my thought as a member of this committee, and I have heard no mention on the part of the subcommittee, that any of these files were to be opened by this committee for public disclosure. Also, the question of so-called raw files has come up in the Attorney General's statement.

As you stated a moment ago, I believe that you either symbolize or give reference by number to the source of information on the part of those people who do not like to have their names disclosed.

Mr. HOOVER. That is correct, and when we submit that report to the Civil Service Commission in the loyalty cases it is a summary of the investigation by the Bureau.

Senator HICKENLOOPER. A great many of your reports adequately serve the purpose when they are in fact summaries of all the information which you have gathered about an individual is that not the case?

Mr. HOOVER. I would assume that that is the case. We have had very few complaints about it.

Senator HICKENLOOPER. Are you aware of loyalty files that have been made available to individual Members of Congress or to Congressional committees of either the House or the Senate?

Mr. HOOVER. By whom?

Senator HICKENLOOPER. FBI reports or files.

Mr. HOOVER. By whom? Just a minute. Who made the files available to Members of Congress? Not anybody in the FBI ever made them available.

Senator HICKENLOOPER. I did not ask about the individual. I said, are you aware of any occasions when FBI investigative files have been made available by anybody to congressional committees or to individual Members of Congress?

Mr. HOOVER. I am not aware of any loyalty reports being made available to any committee by any agency or any individual in the Government, because there is a direct Presidential directive prohibiting it. I know insofar as the Federal Bureau of Investigation is concerned, no confidential reports of the Bureau have ever been made available to anybody.

Senator HICKENLOOPER. What is the situation about the Senate Judiciary Committee in connection with the investigation of Federal judges?

Mr. HOOVER. In connection with the Senate Judiciary Committee, there is again a so-called summarization of a file. The raw file is not made available to the committee, by reason of the fact as the Attorney General has explained this afternoon, that there is a different principle involved in making available to a committee passing on the qualifications, for confirmation, of a man to a judicial post than there is involved in this over-all problem of internal security.

Senator HICKENLOOPER. Do you consider that problem more important than the question of making available information to a committee that is trying to investigate alleged subversive activities which may go to the heart of the national defense or our whole national security?

Mr. HOOVER. I am not endeavoring to evaluate which is the most important or which is the least important, Senator. I am stating to you that as Director of the Bureau, in the years I have been Director I have consistently urged the Department not to yield access to these raw working files or to the summaries in the internal-security cases. I can be overruled in that opinion by the Attorney General or the President. Up to the present time the Attorneys General have supported that and the various Presidents have supported that position. I think there is a great difference between an active file; a file that is in question before this committee upon which this committee was seeking access to the records is an active working file in current investigation. I do not think that file should be made available to you.

Senator HICKENLOOPER. In the event this committee made it clear that what the committee was seeking was an accurate summarization of the active working file, rather than the active working file itself—

Senator GREEN. May I draw my distinguished colleague's attention to the fact that we were directed to obtain by subpoena, if necessary, and examine the complete loyalty and employment files and records of Government employees in the Department of State, and so forth? Nothing was said about summaries.

Senator HICKENLOOPER. Getting back to the question that I was asking you, Mr. Hoover—

Mr. HOOVER. I will answer the question, Senator, that I would certainly recommend to the Attorney General that any summarization not be made available to the committee in an active internal security case, for the very reason that even though we summarize the file, the person reading that summary could very readily draw certain conclusions and deductions therefrom as to where the information might have been obtained. It might be to the embarrassment of informants, and again it is a matter of principle and one of degree. I have the utmost respect for this committee and for its integrity, but if we yield in this one case we break a precedent that will plague the Department and certainly, I think, materially interfere with the efficient operation of the FBI in future years to come. Other committees will ask for it. It is entirely within the realm of possibility, maybe not probability, that there might be a committee in which we would not have the same confidence we have in this committee. There have to be certain principles set and adhered to or the floodgates will be opened.

Senator HICKENLOOPER. May I ask you, Mr. Hoover, a question I asked the Attorney General, which he said you were better qualified to answer, and I believe that is true. How many clerks and stenographic

personnel and other people have access to the information, or at least substantial parts of the information, that are contained in these files, by way of compilation?

Mr. HOOVER. I would say, Senator, that there would be probably not more than half a dozen. That would be a maximum number, a half dozen employees of the Bureau who would have access to the entire, whole working file. There are many clerks who will file certain papers into a certain file and will make an index card, but the file is restricted to requests from a particular supervisor or supervisors who are supervising that case, and from the Assistant Director in charge of that division and myself. The file is not allowed to be examined by any clerk or employee just for the purpose of curiosity.

I may also say, Senator, that each one of those employees of the Bureau has been thoroughly investigated as to their integrity, their loyalty, and as to their security risk, and we have never had a leak from those files. I don't mean to infer that any committee on the Hill or any of its staff may not be as good a security risk as our employees, but I do not know whether they have been investigated, I do not know whether they have been checked as thoroughly as our people, and again, as I say, the danger of a leak from the Bureau—and I do not say it is beyond the possibility of a leak in an organization that has 10,000 employees, but to date we have never had that occur to us.

Senator HICKENLOOPER. I might suggest, Mr. Hoover, that there are at least two or three members of this committee, I think, that have had access to a great many files. The Senator from Connecticut and I have had access to many files of the Atomic Energy Commission that are investigative files. I believe the Senator from Maryland has had access to certain files and information, and I do not believe any of us as a result of that have leaked any information. I do not know about Senator Green or Senator Lodge.

Senator TYDINGS. Just for the record in case there is a leak, the Senator from Maryland has not read any of these summaries, purposely.

Mr. HOOVER. I want to make it very clear that I am not insinuating any lack of security on the part of this committee. As I tried to treat the point in my statement, it is a matter of principle. If we yield in this particular request of this committee, which probably has members equally as secure as any high officials in Government, you are setting a precedent and opening a floodgate that is going to plague the Department of Justice and materially interfere with the security work of the FBI.

Senator HICKENLOOPER. I can understand your zeal, Mr. Hoover, in the inviolate protection of your files and your investigative procedures. But I do want to observe that this committee has been specifically charged with investigating certain allegations and charges. It is beyond my conception as to how this committee can investigate the subject matter of the individuals charged, in their own interest and in the interest of the public, now that the charges have been made, if we are denied and have the door shut in our faces on information, pro or con, which is officially in the hands of the Government, but which we cannot see and which we cannot use in evaluating the merits or the demerits of this investigation. That is the impasse to which we seem to have come, and I would be the last one—I am not perhaps

the last one; I do not mean to discredit anyone else. There are a great many other people that would defend the integrity of your files and the integrity of your investigative system to the utmost. I am perfectly willing to do that. But I am anxious for someone to tell me how I can discharge my responsibilities as a member of this subcommittee when I do not have access to information in the hands of the Government upon which to make up my own independent judgment as to the merits or the demerits of these charges. That is the impasse that confronts me as a member of this committee, and I personally feel that there is not only no intention, but no possibility, of any disclosure of specific information in any of these files that would be made by this subcommittee unless and until full consultation and agreement with the proper authorities had been later had that such disclosure was all right.

Mr. Hoover. I agree with you in that conclusion. On the first I cannot give you any assistance, as to how to break that impasse.

Senator HICKENLOOPER. I sadly agree that you cannot give me any assistance on that.

Senator TYDINGS. I am going to defer to my colleagues in asking questions and save mine until the last, but I would like to ask you one question about something you have touched on with reference to judges.

I would assume that one reason these summaries of the FBI files are made known in the case of an applicant for appointment to be a United States judge, whether it be for one of the lower United States courts or the highest, would be predicated on the fact that once he has assumed office, he cannot be gotten off the bench except by death, retirement, or impeachment, whereas in the case of all other individuals who work for the Government who are not elected, they can be discharged or released without that situation requiring impeachment. Is that one of the reasons, in your opinion, for this exception to what might be called the strictness of the FBI in not disclosing the files?

Mr. Hoover. I think the Attorney General can answer that probably better than I.

Attorney General McGrath. It goes beyond that. The applicant for the job knows in advance that the FBI is going to make an investigation and the results of that investigation are going to be made known to proper officials. He is in a much different position when he seeks that position than is the non-innocent or innocent employee who is suddenly subjected to an investigation of his personal affairs without any desire on his part so to be investigated. I think that makes a big difference.

Senator TYDINGS. Furthermore, the judge sits with the power of life and death in many cases of the citizens of the community, and I am reminded that after the Punic Wars, when Solon was commissioned to write the laws for ancient Greece, for the first time he gave the people the right to vote only for the judges who would sit upon their crimes and misdemeanors, for the reason that that is one thing above all others that must have every security thrown about it, and if people elect their own judges, obviously they must have confidence in their integrity, and that was the reason that was done.

Attorney General McGRAH. May I say to you that the record of the Federal Bureau of Investigation and the Department with respect to prosecution of all those against whom sufficient evidence has been secured is a splendid one, but this is not the time to discuss that undertaking. There are facts built up from day to day that this committee is not aware of as a whole, and it may be before you conclude the work of this committee I should like to come back and review with you everything that has been done in this field by the Department of Justice, because I think it is a splendid record. That record is so good that if any Member of the United States Senate thinks there are a lot of spies running around the United States, if he will tell us their names and a little information, we will soon bring them to justice.

Senator TYDINGS. Thank you.

Senator McMAHON?

Senator McMAHON. When was the loyalty program commenced, Mr. Hoover?

Mr. Hoover. In 1947, I think.

Senator McMAHON. And under it all of the 2,000,000 employees of the Government have been checked?

Mr. Hoover. About 2,700,000 now, I think; that is, all of them have had a name check against the files of the Bureau. Of course, they have not been investigated unless some indication of disloyalty was present.

Senator McMAHON. Can you tell us by whom this loyalty program was initiated?

Mr. Hoover. Originally the President named a committee, headed by Mr. Vanech, Assistant Attorney General of the Department of Justice, and upon that committee was Secretary of the Navy Sullivan and Under Secretary of the Treasury Foley and representatives of various other branches of the Government, who conferred at great length and made recommendations to the President as to the procedures to be followed in this particular program. Then there was a consultation with the appropriate committees of the House for the granting of the appropriations on it.

Senator McMAHON. I remember there was about a 4 months' delay before the money was appropriated after the program was formulated, if I am not mistaken.

Mr. Hoover. I think that is correct. The committees of the Congress gave it very careful study before the money was appropriated. I appeared before several of them on the House side.

Senator McMAHON. Mr. Attorney General, you have just stated you do not consider it appropriate at this time to give us a review of the Department's work. I shall defer to your opinion as to its suitability at this time. It does seem to me, however, that since it is in this committee that charges have been made which have tended to shake confidence in the diligence of the Government's pursuit of wrong-doers, that it would be proper for you to briefly review some of the activities of the Department. I have in mind the 11 Communists in New York; I have in mind the successful prosecution of Alger Hiss; I have further in mind the prosecution of Mr. Bridges. I do not know whether that case is successfully concluded. And also of those persons who were in contempt of the committees of Congress for refusing to answer questions concerning their communistic affiliations.

I do not wish to press you on it, but those thoughts do occur to me,

and it did seem appropriate to me that this was a place and a time in which proper reference to them could be made. However, if you feel that you wish to come back again, I do not press it.

Senator HICKENLOOPER. Mr. Chairman, I might say for the benefit of the Attorney General that there are a number of questions collateral perhaps to his statement today that I would like to discuss with him. I refrained from asking those questions because his statement was confined to a certain limited area, and if the matter is to be opened up I merely wanted to say that I would have a great many questions to ask.

Attorney General McGrath. Senator Hickenlooper, that is exactly what I meant when I said I didn't think that it was appropriate today. We are here to discuss one question, the question of these files. But there is a very splendid story that ought to be known, because I think it would give confidence to the Members of Congress, I think it would give confidence to the public at large.

I may say that there is no instance in which the Federal Bureau of Investigation has completed a report involving disloyalty or subversiveness and referred it to the Attorney General where court action has not been instituted. And you may add to those you suggested that it was Mr. Hoover's organization that got the leads which resulted in the capture and arrest and conviction of Mr. Fuchs. Today we were successful in the prosecution of the Dennis case. We have a splendid record, and I think the country is entitled to know it, but I do not believe that while we are here to discuss this question of records that I ought to impose on the committee to talk about these matters, and I would like to come back at some future time and talk to the committee about what has been accomplished and to answer any questions that Senator Hickenlooper may have with respect to these matters.

Senator TYDINGS. Senator Lodge, have you some questions?

Senator LODGE. Yes. There is one point that I think ought to be definitely elucidated for the record. Let me say I think you made a very convincing exposition of your reasons for not setting a precedent, and for what you describe as a matter of principle. I think I heard you say that these raw files had not been made available to anybody. I think I am quoting you correctly.

Mr. Hoover. That is correct.

Senator Lodge. That prompts me to ask the question. Has the raw file not been made available to the courts in certain cases?

Mr. Hoover. There has been one instance last year where certain very limited portions of the raw file were made available to the court in the Coplon case. Certain reports were sealed for examination by the judge in the last trial in New York City in the Gubichov and Coplon case. In the trial in the District of Columbia there was introduced into that trial certain copies of reports that had been forwarded to the Department of Justice, and abstracts had been made from them by Judith Coplon, and were found in her possession at the time we arrested her in New York City.

That again showed the evil of making certain portions of that available to the court, because in those files, just 1 or 2 reports taken out of a file of maybe 5,000 reports, there were mentioned the names of certain individuals. The president of a New England university was mentioned, and there were other very prominent people mentioned, upon whom there was cast an aspersion of subversive activities

which had never been established or verified by the FBI, because we were not investigating that particular subject. Those reports were introduced in the court at the direct ruling of the judge who presided, Judge Reeves in that case, and it was over the objection of the Attorney General and the Department of Justice representatives. That is the only case I know of.

Senator Lodge. The Attorney General did not make the raw file available?

Mr. Hoover. He did not make the whole file available. He made available only the reports which Miss Coplon made reference to in the abstract slips. That occurred in the District of Columbia case. In the New York case there was made available for the judge certain reports, as you know, and sealed for the judge, for the examination of certain information obtained by wire tapping, in order that the judge might determine whether that evidence had been used to develop the case. The judge ruled it had not been.

Senator Lodge. Did you approve of those two instances?

Mr. Hoover. I did not.

Attorney General McGrath. May I say that the decision in the Coplon case had to be made by the Attorney General as to either producing those files or dismissing the case against her, and against Mr. Hoover's recommendation, the Attorney General, who is to proceed with the case, made information from the file available under such restrictions as we could secure from the court.

Senator Lodge. Is it true that when those files were made available they were made available for public disclosure?

Mr. Hoover. The portions of the reports that were made available in New York City were sealed. Judge Ryan presided in this case—those reports were sealed, and he examined them in chambers. He did have some discussion, I think, with both the prosecuting United States attorney and defense counsel. They were not made available in open court. The particular portions were sealed for the examination of the court.

Senator Lodge. Were not parts of the raw file put in in the Washington trial?

Mr. Hoover. There were portions of the raw material that had been used in the Washington trial that were printed in the papers. On the excerpts that were made the court ruled that the whole report from which she had abstracted information had to be introduced for the information of the court.

Senator Lodge. That was the only part that was available?

Mr. Hoover. The raw files in that case I think ran to 10,000 or 12,000 pages, and all that was produced was some 26 reports, to my recollection.

Senator Tydings. If you will allow me to pursue one or two questions, in your prepared remarks, on page 2, I see this sentence in the middle of the second paragraph:

A file is maintained in each case because the FBI has received information allegations, or a complaint which if proven comes within the sphere of our responsibility, in pursuance of either congressional or Executive directives.

Then this:

After the investigation is completed, when indicated by Department procedure or judgment, a summary of the facts developed is furnished to the Department of Justice and to United States attorneys.

In other words, I imagine when you think you have completed a file and have made out a case that violates any of the laws of our country, that file is then sent by you automatically to the Attorney General or the United States attorneys, wherever the jurisdiction may lie, for proper action by the courts.

Mr. Hoover. Not the raw file. There is what is called a summary report made from the raw file, and there will be withheld from that report the sources and other confidential information that we do not desire to disclose.

Senator TYDINGS. I did not mean to say the raw file. What I meant to say, you say "We have completed the case; the evidence is there, and we send the summary for you to work with."

Mr. Hoover. That is correct.

Senator TYDINGS. You do not need to answer this unless you want to, but I can see no harm in it. I would assume that if you have not sent a file forward in any particular case, it would be for the reason that the case itself does not show such a conclusive state that you could forward it to the proper agencies for legal action.

Mr. Hoover. That would be, I would say, Senator in about 98 or 99 percent correct; for this reason I reserve the 2 percent: There are cases which we bring to conclusion in which we may have direct evidence of a violation of law, but for purposes of carrying on further inquiries to identify other members of the ring it is not forwarded at that time. I recall the days of the Duquesne case at the beginning of the last World War in New York City, where we had one or two men at the very beginning that we were certain had violated the espionage statutes. We held that case back for 18 months. When we went to trial we had 33 defendants, all of whom were convicted.

Senator TYDINGS. So that, except for the exception that you first enumerated, in each case where you feel you have gathered sufficient evidence you forward it then to the proper legal authorities for such action as is necessary.

Mr. Hoover. That is correct, Senator.

Senator TYDINGS. And there would be no completed case in your files showing a breach of any of the Government's laws except for the reason you have given, that you would withhold it.

Mr. Hoover. That would be correct.

Senator TYDINGS. Thank you very much, Mr. Hoover.

Senator McMAHON. There is one additional question I would like to ask.

Mr. Hoover, on the first page of your statement you say, at the bottom:

The question of opening the files of the FBI involves a grave matter of principle. In taking the position that the files of the FBI should remain inviolate, I would not, of course, presume to discuss files other than those of the Federal Bureau of Investigation.

I assume that your feeling, however, would go to the files of other Government departments that contain your reports?

Mr. Hoover. We have a very definite understanding with the other governmental agencies that no reports of the FBI which are sent to them, whether it be loyalty reports or reports on security of the War, Navy, Interior, or Treasury, can be released by that agency upon request from any source without first clearing with the Federal Bureau

of Investigation, and if there is any question in my mind as to the propriety of it, I submit it to the Attorney General.

Senator McMAHON. That clears that up.

Senator HICKENLOOPER. Just one question that occurred to me that I do not think I quite follow up. I would like to ask Mr. Hoover this question. We were discussing the case of the Judiciary Committee of the Senate receiving summaries on Federal judges. Are you aware of any other instances where summaries developed by the FBI have been turned over to other committees of Congress?

Mr. Hoover. In the atomic-energy cases that has been done by reason of the very unusual, and I think very satisfactory, procedure which was worked out for having a joint committee of Congress created by Congress, having very definite responsibility for the checking of the activities of the Atomic Energy Commission. In that instance the Attorney General approved the requests that were made for making available to the Joint Committee on Atomic Energy the summary reports in some of those cases. In each instance, however, they inquire of the Bureau as to whether there is any reason why this report should not be released at that particular time. There may be a current investigation going on, in which event we would not want it released.

Senator HICKENLOOPER. In those cases it is my understanding in connection with the Atomic Energy Commission that the FBI claims no supervision or dominion over any files once the file that is in the Atomic Energy Commission has actually gone into the custody of the Atomic Energy Commission.

Mr. Hoover. We do not claim full supervision over the file. We do claim a right to be advised if any portion of the file which they have received from the Federal Bureau of Investigation is to be made available.

Senator HICKENLOOPER. I see.

Do you know of any other committee of Congress which has been given access to summary files developed by the Federal Bureau of Investigation other than the Atomic Energy Commission?

Mr. Hoover. I think in the case of the Committee on Expenditures last year or the year before, headed by Senator Ferguson, there were certain files made available to that committee at the direction of the Attorney General in connection with the Kansas City election-fraud causes. That is the only other instance I can recall that any files were made available. They have not been made available to the Appropriations Committees of either House of Congress.

Senator HICKENLOOPER. Or any other committee of the House or Senate?

Mr. Hoover. So far as my knowledge goes, no.

Senator HICKENLOOPER. That you know of.

Senator TYDINGS. I would like to thank you, General McGrath, and you, Mr. J. Edgar Hoover, both for coming up before us at our invitation and conferring on the matter before us.

In the event the chairman may be absent for several days this week, I have designated Senator Green to act as chairman so as not to delay the work of the committee.

(Whereupon, at 5:10 p. m., a recess was taken until 10:30 a. m. of the following day, Tuesday, March 28, 1950.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, MARCH 28, 1950.

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER S. RES. 281,
Washington, D. C.

The subcommittee met, pursuant to adjournment on March 27, 1950, at 10:30 a. m. in room 318 Senate Office Building, Senator Theodore Francis Green, acting chairman, presiding.

Present: Senators Tydings, Green (acting chairman of the subcommittee), McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally (chairman of the full committee), Wiley, and TobeY.

Senator GREEN. Come to order, please.

Is Mr. Hanson here?

Mr. HANSON. Yes, sir.

Senator GREEN. Mr. Hanson, please stand. You are Haldore Hanson?

Mr. HANSON. Yes, sir.

Senator GREEN. Hold up your right hand. Do you solemnly swear that the testimony you will give in this hearing before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HANSON. Yes, sir.

Senator GREEN. Mr. Hanson, you have asked to come here. I suppose it is in reply to certain charges that have been made against you by Senator McCarthy at the hearing on March 18.

Mr. HANSON. Yes, sir.

Senator GREEN. You may proceed in your own way to answer what you think is relevant.

STATEMENT OF HALDORE HANSON

Mr. HANSON. I have a few character statements, sir, which I would prefer to read first, and then I will be glad to answer any questions of the committee.

Senator GREEN. Very well; proceed.

Mr. HANSON. Mr. Chairman, I appreciate the opportunity to appear before your committee.

On March 18 Senator McCarthy testified before this committee that I had pro-Communist proclivities and that I was a man with a mission to communize the world. He even compared a book I once wrote with Hitler's *Mein Kampf*.

Mr. Chairman, communism is the nastiest word in the American vocabulary today. In this country the word Communist stands for an individual who is a sneak, a thief, a liar, a traitor. It makes no difference whether you qualify the word and say a man is pro-Communist or has an affinity for communism, or has pro-Communist proclivities. They all mean that he is the dirtiest, lowest type of man.

I deeply resent this attack upon my loyalty. I wish to state now, under oath, that I am not a Communist. I have never been a Communist. I have never belonged to an organization cited by the Attorney General as being a Communist-front organization. I have never knowingly associated with an espionage agent of a foreign power. I have never advocated the Communist form of government anywhere, at any time, for any people. I have never committed any act which was disloyal to the United States.

Mr. Chairman, if Senator McCarthy will say directly what he has insinuated, if he will call me a Communist in that kind of direct American English which Midwesterners are accustomed to using, and say it without the benefit of congressional immunity, I assure him that he will be called upon to answer to me in a court of justice at the earliest possible moment.

On what does Senator McCarthy base this serious charge that I have pro-Communist proclivities and that I have a mission to communize the world? Does he base these charges on evidence that I am a member of the Communist Party? Does he claim to have evidence that I have been associated with organizations which have been designated by the Attorney General as Communist fronts? Does he have any evidence that I have followed the Communist Party line in its slavish adherence to the needs of Soviet foreign policy during the past 11 years? Surely a man with a mission to communize the world would have performed some overt service for the Communist Party during this period. The reason Senator McCarthy does not have this evidence is because it does not exist. I am confident that an investigation of my political philosophy and my moral character will convince you that both compare favorably with those of any loyal American who is conscious of his duties of citizenship and is striving to live honorably in his community.

An examination of my record will disprove Senator McCarthy's accusations. That record has been examined by the Government through a comprehensive FBI investigation completed in 1948 under the President's Government-wide loyalty procedures. My activities in China as well as in the United States were covered and my writings were reviewed. Senator McCarthy produced no new facts before this committee which were not available to those investigators. In fact, he produced nothing that I hadn't put in a public library. After the FBI investigation, I was given a complete clearance by the Department of State.

In the course of these investigations, I made available to the officers concerned not only a full file of my public writings but even a personal diary which I had kept during the entire period that I was with the Chinese Communists.

Mr. Chairman, I wholeheartedly believe in the President's loyalty program, and I want to help in every possible way to maintain the public's confidence in the loyalty of its servants.

I believe that subversives can be ferreted out of the Government by the quiet, sober, thorough methods now used by the FBI. The kind of public denunciation, labeling, and hate-mongering with which we are now dealing is alien to the traditions of the United States and more closely resembles the purges of another political system.

Mr. Chairman, let me tell you what the impact was on me when my picture suddenly appeared in the newspapers under the caption "Red in State Department."

On March 18, without any warning or opportunity to present my side of the case, I was called out of a meeting in the State Department and told that Senator McCarthy had named me to this committee as one of the cases which he claimed would prove his charge that there were Communists in the State Department.

I spent the rest of that day and practically all of the following day answering queries from the press and radio.

By the third day, I acquired a false feeling of optimism that came from reading and listening to viewpoints that coincided with my own. Many editorials said Senator McCarthy had not proved his case. So did many columnists and commentators. Telegrams and letters from my personal friends told me it was ridiculous. Colleagues in the State Department told me not to worry about it. I thought that by the end of the week it would be forgotten, hoping that reasonable people who read the newspapers would know the charges were not true.

That was the point at which I got my second shock. I went to see an elderly neighbor about helping me with some fencing on a farm I own in Virginia. He is a man I have known for 5 years. He has helped me many times.

He told me that the day before he had been standing at his mail box when several other neighbors stopped by. One said, "Could you believe it, that we have had a Russian spy living in our neighborhood all these years and didn't know it?"

I went on to the home of the man who has been feeding my cattle this winter. He lives about 4 miles from me. He said he had been asked by a number of persons in Leesburg, the county seat, whether he intended to keep on working for that Communist.

From a housewife in the village near my farm, Mrs. Hanson got word of a petition being circulated, calling my family undesirable and asking us to get out of the community. I have since verified this report from several sources. And, as I reported to the chairman in my request for this hearing, I understand the petition has now been withdrawn, because a lawyer advised the circulator of the petition not to continue his activities.

My latest information of this kind, which I did not state in my letter to the chairman, concerns a meeting of a country agricultural committee at Leesburgh at which a Virginia State official from Richmond, in the presence of a number of farmers, denounced the growing number of Communists in Government and named me as one of them. As far as I know, he had never heard of me until Senator McCarthy's charges.

Mr. Chairman, I do not recount these facts to appeal for sympathy. The farming community in which I live consists of no more than 50 families. It is noted for its active church and PTA. It is a good

American community. I want you to know what is happening in this one community. It may be happening in other communities across the land. I learned one thing from these experiences. To many loyal Americans, who have read the assertions about Communists still in the Government, any American whose name appears in the newspapers charged with being a Communist is guilty until proved innocent. You have probably heard the story, Mr. Chairman, about the juror who was asked what his opinion was about the guilt or innocence of the defendant. He said, "Of course he's guilty. Why else would he be here?"

I deeply resent the action of a United States Senator, shielded by his congressional immunity, who makes charges without investigation, and thus starts a ground swell of hate.

Senator McCarthy recommended to this committee that it examine my background and philosophy. I would like to submit fuller information on this subject than Senator McCarthy was able to quote from the Department of State Register.

My Norwegian grandparents came to this country about 1870 and settled in the little town of Sparta, Wis., a little over 100 miles from Senator McCarthy's home town. The family home there is still occupied by Hansons. My various uncles, cousins, and nephews, including Thompsons, Olsons, and Lundquists, are scattered in many towns of Wisconsin.

My father and mother settled in the neighboring State of Minnesota, where I was born in the iron-mining town of Virginia, Minn., the second of five children. I went to public school in Duluth, Minn.

I was active in the YMCA at the age of 10. I went to YMCA summer camps and was president of the Hi-Y Club during my high-school years. From the age of 12 I was a Boy Scout. I became an Eagle Scout; I served as a Boy Scout camp counselor, and served as Scoutmaster during my first year of college. I was active in the Presbyterian Church, of which all my immediate family were members. My father was a Sunday-school superintendent.

During my senior year in high school I was awarded a summer in Europe as a result of an essay contest sponsored by a boys' magazine. The award included only my travel expenses from New York City to Europe and back to New York. I recall I went through a period of some uncertainty, when I was unable to raise the necessary travel costs to New York, but a neighbor, an architect for the United States Steel Corp., arranged for me to travel down the Great Lakes and back on one of the company's ore boats. I was then able to spend several months visiting in European homes, principally in Scandinavia.

I attended Duluth Junior College for 1 year and Carleton College at Northfield, Minn., for 3 years. By means of scholarships, a job waiting on table, and loans, I was able to finish my college education during the depression. I might say my family was trying to help three children through college at the same time. That is the reason this impressed me. I majored in history and political science. I was a debater and on the track squad. I was elected to Phi Beta Kappa.

Carleton College for 40 years has maintained an affiliation with a Chinese high school, called Carleton-in-China, located in Shansi Prov-

ince. I suppose it was through hearing about this school that I became interested in China. Before I decided to go there, I talked it over with an old newspaperman, Jeff Jones, of the Minneapolis Star, and with Dr. Walter Judd, who was then doing medical research at Mayo Clinic. He was on furlough from his missionary work in China. Both encouraged me. After graduation in 1934, I borrowed a small amount of money and made my way to Peiping, China.

At first I lived with a retired Chinese Minister of Finance, working as a secretary and teaching in a YMCA college. I might say that this retired official had a son who was my classmate in college. I had entertained his son in my home and it was a return courtesy. I studied Chinese. That year the Japanese Army was already holding maneuvers along the railroads east of Peiping, under an old treaty right, and there were a number of shooting incidents involving Japanese and Chinese.

My second year in Peiping I held several teaching positions and began free-lance writing for publications in Shanghai. I spent the winter and summer vacations traveling through 14 Chinese provinces and writing articles for magazines in China. During that year the Japanese Army smashed the Chinese Government authority over the customs service in North China by sending gangs of thugs to beat up the Chinese railroad guards. I wrote a number of stories on that and one magazine article.

My third year I taught English at Central China College, one of the 13 Christian colleges in China. I worked simultaneously as a "string" correspondent for the Associated Press and wrote editorials for the Hankow Herald. That was the year that Chiang Kai-shek was kidnaped, a truce was reached in the civil war, and the Chinese Communists agreed to fight against the Japanese under the leadership of Chiang Kai-shek.

I have recently looked over my writing files for the 3 years 1934 to 1937. Those were the years immediately preceding the invasion. There are some 600 pages of articles, mostly contributed to publications in China. I was preoccupied with two subjects: One was the menace of Japanese invasion; the other was the appalling social problems of China. I wrote articles about Chiang Kai-shek's military preparation, about the railroad network for defense, and about the Japanese battle over the customs. I also wrote about famines, flood control, the opium trade, the land tax, and experiments with new crops. I find I was quite interested in agriculture at that time, although I had no previous experience with farming. I find in that file no article about the Chinese Communists or communism.

Then came the war. When the invasion began on July 7, 1937, it was no surprise. Our small American community in China had witnessed years of Japanese Army arrogance, bullying, and deceit. No normal American in China in 1937 could avoid a feeling of bitterness toward Japan and an eagerness for successful Chinese resistance. That was the big political issue. It was the main topic of conversation. It was the principal story for newspapermen.

Two weeks before the war started I returned to Peiping, hoping to be around when the shooting started. For those 2 weeks I assisted a Japanese resistance magazine, and did feature writing for the Peiking Chronicle. I was out at the Marco Polo Bridge on the morning of the

incident. I was assigned thereafter as a full-time correspondent of the Associated Press, and covered almost every front in China during the following year and a half.

I returned to the United States in January 1939. During that year I was married to Bernice Brown of Chicago, who had been a fellow student in college and later had served as a teacher at Carleton-in-China. We now have two children: A daughter, 4, and a son, age 1.

I rejoined the Associated Press at Chicago in 1939, on the day that Hitler invaded Poland, and served as a staff writer and editor until shortly after Pearl Harbor. During this period I studied French and German at the Berlitz School in Chicago, hoping that the AP would send me into the European war zone.

In February 1942, I entered the Government. It happened this way: The AP assigned me to cover a meeting of the American Historical Association in Chicago during the Christmas holiday season in 1941. I encountered a number of professors who had lived in China. This was about 3 weeks after Pearl Harbor. They told me that both the State Department and the Coordinator of Information were looking for people with China background. I wrote to both to find what they were offering. I found that the State Department was primarily interested in someone to recruit civilian advisers for the Chinese Government, and wanted a person with a current knowledge of conditions in west China where General Chiang Kai-shek was making his war base. I, of course, had just come back from that area approximately 3 years before. I was hired by the Department to undertake that assignment. I would like to submit, as an exhibit, a list of the jobs I have since held in the Department and the work I have done.

Senator GREEN. Do you wish to submit it now?

Mr. HANSON. I wish to put it in the record, sir.

Incidentally, Mr. Chairman, Senator McCarthy did read you from the State Department Biographical Register the official statement of my work in the State Department. This is an amplification indicating the kind of work involved.

Senator GREEN. Were there any discrepancies in his list?

Mr. HANSON. There is always a discrepancy, sir, between the official State Department Register, which is based upon personnel actions, and the dates under which a man actually entered on duty on a job. There is no other discrepancy—wait a minute; I will take that back. There were several minor misquotations, but they are not relevant to this particular point.

The important thing is, sir, that personnel actions requires a matter of months when a man is assigned to a new job, and I am giving you the dates on which I actually entered on duty on each job, and he was giving you the date on which the Civil Service Commission recorded that action.

Without going into details about my State Department work, I should like to correct a few false impressions given by Senator McCarthy.

In discussing my work with the Far East branch of the Public Affairs Overseas Program Staff in 1947-48, he implied that in this capacity I was responsible for political policies. That staff on which I worked was entirely concerned with the Department's far eastern information program, not with formulation of policies.

Let me add that during my 8 years in the Department I have never been assigned to the Bureau of Far Eastern Affairs, which is responsible for our political policies in that area; nor have I ever held a position which involved any responsibility for such policies or in which my advice on such policies was asked.

Also, in discussing my present work with the Interim Office of Technical Cooperation and Development, Senator McCarthy quoted from the departmental announcement of the creation of this office a set of responsibilities which he said were those of my division. He was quoting, however, the responsibilities of the officer director, a position now filled by a Class 1 Foreign Service Officer, and to be filled under the new legislation now before Congress by an Administrator appointed by the President and confirmed by the Senate.

Senator McCarthy then read another set of responsibilities which in actuality are those of not one but three Assistant Secretaries of State for the various regional bureaus—that is, Assistant Secretaries Butterworth, McGhee, and Miller—and concluded, "This is all to be done by the unit to which Hanson has been assigned as Chief."

I appreciate the promotion, but my role is actually of a more humble nature.

Senator GREEN. Do you wish to deny that categorically or only by inference?

Mr. HANSON. I most emphatically do deny it directly and categorically.

Mr. Chairman, my only major private interest today, outside of the Department of State, is the management of a 270-acre cattle farm in Loudoun County, Va., which I bought in 1945. Last year I fattened 60 head of cattle and produced approximately 100 hogs. I have spent from 40 to 60 days a year during the last 4 years, including most week ends and all my vacations, working on this farm, putting up new fences, repairing buildings, and helping with the animals. I live there with my family 7 or 8 months of the year and commute to Washington.

My wife has been in the real-estate business here in Washington, between having babies, and her earnings helped to pay for a new silo and two cattle ponds at the farm.

If I have any "mission," other than trying to do a good job at my work, it is to make that a model farm which will pay back the substantial amount invested in new buildings and fences.

I should now like, Mr. Chairman, to take up some of the specific items which Senator McCarthy cited as evidence.

I take first his reference to my newspaper dispatches which were smuggled out of guerrilla territory by arrangement with Chinese Communist couriers.

Senator GREEN. It says in my copy "by arrangement with Chinese Communist generals." Is that incorrect?

Mr. HANSON. Of course the actual smuggling was done by couriers for the Chinese Communists.

Senator McCarthy neglects to state that I was with the Communist Army by assignment as a war correspondent of the Associated Press, that this was during the Japanese invasion of China; that at the time the Chinese Communists had signed a truce with Chiang Kai-shek and were fighting against the Japanese under the supreme command of Chiang Kai-shek.

Senator TYDINGS. Mr. Hanson, let's get this straight right there. At the time you were assigned by the Associated Press to cover the work of the Chinese Communist armies, to amplify your statement were the Chinese Communist Armies exclusively under the direction of Chiang Kai-shek?

Mr. HANSON. Yes, sir

Senator TYDINGS. Were there any Chinese Communist armies that were not under his leadership?

Mr. HANSON. Not to my knowledge.

Senator TYDINGS. Were all the Chinese Communist armies that you served with under the direction of Chiang Kai-shek?

Mr. HANSON. Yes, sir.

As a reporter, I found that the Chinese Communists were putting up a good fight against the Japanese, and I wrote about them as I saw them.

Now, it is grossly misleading to take objective journalistic reports about the Chinese Communists in 1938, at the time of a united front with Chiang Kai-shek against Japan, and to deduce from them my attitude toward the Chinese Communists, 11 years later, in the midst of a cold war between the democracies and world communism.

I hesitate to draw such a comparison, but Senator McCarthy could conclude with equal logic that Winston Churchill is guilty of pro-Communist proclivities going back to 1943 because back in November 1943 he said:

That monstrous juggernaut engine of German might and tyranny has been beaten and broken, outfought and outmaneuvered by Russian valor, generalship, and science.

Senator TYDINGS. I would like to say that so far Mr. Churchill is not one of the men we are set up to investigate.

Senator McMAHON. We had better wait and see.

Mr. HANSON. There is no question, Mr. Chairman, in my mind that since VJ-day the Chinese Communists have been guided by their joint interests with the international Communist movement.

Incidentally, Senator McCarthy stated under oath that I had spent 2 years with the Chinese Communists. Actually, as my book shows, it was 4 months.

Senator TYDINGS. Did you spend any other time than the 4 months you have related with the Chinese Communist Armies?

Mr. HANSON. No, sir. I have never associated with nor been in contact with any Chinese Communists other than what was related in my book.

Senator TYDINGS. Then the sole time you were with them was the time you were assigned to be with them by the Associated Press?

Mr. HANSON. That is correct. In 1934-37, when I was a free agent writing about China, I never visited the Communists and never wrote an article about them.

Senator TYDINGS. Were there any other writers assigned by the Associated Press or working with the Chinese Communists at that particular time?

Mr. HANSON. I can't verify this at the particular moment, sir, but throughout the 8 years of the China War every regular correspondent of the New York Times and the New York Herald Tribune as well as the Associated Press visited at some time with the Chinese Communist armies.

Senator TYDINGS. Did you have an opportunity to read some of the reports that these other correspondents you have designated made for their associations?

Mr. HANSON. Yes, sir.

Senator TYDINGS. In what respect, if any, were yours substantially different from theirs?

Mr. HANSON. Only in that I believe I was the only correspondent who entered the area east of the Pekin-Hankow Railroad, and covered a Communist military movement that others did not have an opportunity to see.

Senator TYDINGS. Leaving aside the difference in area, were these reports substantially alike?

Mr. HANSON. Yes, sir.

Senator TYDINGS. Go ahead.

Mr. HANSON. Senator McCarthy also concluded that the mere fact I was able to travel with Chinese Communists troops was evidence that I was pro-Communist. I went to Chinese Communist territory because I was ordered there by Associated Press and also because as a good newspaperman I wanted to go where the news was. It makes no more sense to say that I was pro-Communist because I spent 4 months behind the Chinese Communist lines than to say that I was pro-Japanese because I spent 11 months behind the Japanese lines.

Senator TYDINGS. When did you spend those 11 months behind the Japanese lines?

Mr. HANSON. From August 1937 to July 1938.

Senator TYDINGS. So that both the time you were behind the Communist lines for 4 months and the 11 months you were behind the Japanese lines you were on assignment from the Associated Press, and this assignment was before we were in the war?

Mr. HANSON. Yes, sir.

I might add that I also spent several months behind Chiang Kai-shek's lines.

I find that I am coming to that in my text. I was later cleared by Chiang Kai-shek's Army Intelligence for an assignment at his general staff headquarters, living in the same hotel with the staff.

If there had been anything pro-Communist about those dispatches of mine, I am sure my own AP superiors would have been the first to protest. I looked in my AP file for that period and found a letter from my New York office dated November 30, 1938. It is signed by John Evans, chief of the AP foreign service. It reads in part:

I send you my own and others' compliments on the guerrilla stories. The attached clipping shows how a half dozen of your stories were dovetailed to make two long stories in the Sunday Service. You know that McDaniel—

another AP correspondent—

had a hand in shaping up your notes and messages.

The stories were used widely and attracted such attention that Reader's Digest asked to reprint them. * * *

The page from Time magazine is another proof of general interest in the human narrative you pulled out of interior China. The world is somewhat tired of war communiques but it welcomes a fresh view of life behind the lines and the blood and iron that carries on the war.

I received a further letter from the Associated Press Office in New York dated December 13, 1938. It was signed by the general manager, Mr. Kent Cooper. Mr. Cooper described the arrangements with

Reader's Digest for publishing some of my stories on the guerrillas and concluded: "May I add my personal congratulations to you on the excellence of your work in this connection?"

Now, the book about which Senator McCarthy spoke is entitled "Human Endeavor, the Story of the China War." It is a book of 380 pages, published in the fall of 1939 by Farrar & Rinehart.

It was my first and, so far, my only book. It was published when I was 27 years old. It is not a great book. It did not sell very well. I consoled myself at the time that its publication was almost simultaneous with Hitler's invasion of Poland, a fact which focused attention on Europe.

The book attempted to give a balanced picture of the China war. I devoted 12 chapters to my experiences with the Japanese Army, 9 chapters to my experiences with the Communist guerrillas, and 10 chapters to the military and economic effort of Chiang Kai-shek's Nationalist forces.

But I don't believe the excerpts chosen by Senator McCarthy give a balanced picture of my book.

For example, Senator McCarthy used the following characterizations in an attempt to show my pro-Communist feelings. These are each a phrase pulled out of the text to describe an individual, and each of the ones I am going to read are Communist leaders, whether generals or otherwise:

General Ho Lung:

He is a living picture of Rhett Butler from the pages of Gone With the Wind.

General P'eng Teh-huai: A "most rigid disciplinarian" and "the most persistent student of world affairs."

Mao Tse-tung:

The least pretentious man in Yenan and the most admired.

And for the group of leaders:

My attitude toward Communist China's leaders was a mixture of respect for their personal integrity and a resentment of their suspiciousness. They impressed me as a group of hard-headed straight-shooting realists.

Incidentally, that was a misquotation by Senator McCarthy. What I wrote, and he can check this in the book, was "hard-headed, hard-shooting realists." There is quite a difference in the connotation of that midwestern colloquialism.

If the committee will turn to the section of the book devoted to Chiang Kai-shek's government and armies, it will find even more favorable references to Nationalist leaders.

For example, I referred to "the progress toward honest government which Chiang Kai-shek is promoting in China." And here are some other such references:

Chang Chun, governor of Chiang Kai-shek's war base:

"A reputation for integrity, diplomacy, and absolute loyalty."

Madame Chiang Kai-shek: After I had described her war orphanages I said:

Such a development is extraordinary in China where people have so long been indifferent to the welfare of the lower classes. The credit must go to the Madamissimo and her American ideas of philanthropy.

Dr. F. C. Yen, Chiang Kai-shek's Minister of Health:

As fearless a crusader against quackery as Dr. Morris Fishbein of the American Medical Association Journal.

Dr. Wong Wen-hao, Chiang Kai-shek's Director of Economics: "An able executive and an excellent judge of men. * * *" I said of him, "One of Wong's first acts in office was to insinuate into Government an able group of professors from Peiping and Tientsin. This little clique of nonpartisans included Dr. T. F. Tsiang, recent Ambassador to Russia," and, I might add here, the present representative of Chiang Kai-shek at Lake Success, bearing the brunt up there:

Dr. Hu Shih, Ambassador to the United States, and a score of scientific experts in engineering, mining, and agriculture. The scientists of this group now form a brain trust for the Ministry of Economics. * * *

Mr. Chairman, this book is a report of what I saw, what I was told, and what I recorded as accurately as I could at the time.

No author is a competent witness regarding his own book. I think it is pertinent what the newspapers and book reviewers had to say about this book at the time of its publication. Surely, if this book had been biased, some reviewer would have said that it was pro-Communist, or that "here is a man with a mission to communize the world."

I have about 100 clippings, the kind of thing that a first author generally keeps in a scrapbook in his attic. I will skip mere literary criticism and give you the comments which will help you to judge my objectivity.

The Associated Press, September 10, 1939, signed by John Selby. He is the regular AP book reviewer:

Hanson is that priceless thing, a good and objective reporter. * * * He comes to some reasonable conclusions about the fracas in the East, now overshadowed by the geographically nearer drama on the European stage. * * * The author has, first, an eye for the colorful fact. He has sympathy without sentimentality.

Turning now to the Philadelphia Inquirer, December 18, 1939, a review signed by Mr. Alexander Kendrick, whom I do not know:

All the other books on the Chinese war, and there have been many, have simply kept the seat warm for Mr. Hanson, who was the Associated Press correspondent in North China from the time of the Marco Polo bridge "Incident" in 1937 until a few months ago. Hanson's news accounts, as any copyreader knows, have been a model of unbiased understanding and vivid reporting. Now, reading his book, the first full and comprehensive account of the long war, it is easy to see why he made such an excellent job of things.

May I state, Mr. Chairman, it is somewhat embarrassing for me to go back to these old accounts and read things that are in praise of me, but I think they are equally pertinent in view of the things that have gone before.

Senator TYDINGS. We can stand it if you can.

Senator McMAHON. You can also increase your modesty by the fact that you said the book did not sell very well.

Mr. HANSON. The Herald, Durham, N. C., December 17, 1939:

Hildore Hanson's new book on the Sino-Japanese conflict does not preach any doctrines; it does not seek to warn us of any danger which might come to us out of the Chinese nightmare. His job is a piece of straight reporting, like his newspaper work for the Associated Press, and he has done it well.

The News and Courier, Charleston, S. C., January 7, 1940:

By far the best of the personal-experience stories that has come out of the China war is *Humane Endeavor* by Haldore Hanson. * * * Hanson, although frankly critical of Japan and sympathetic toward China, nevertheless reveals China's vast military impotency; the treachery of some grafting generals, and the lack of support given to the Chinese Communist Army—which all writers seem to agree has the best military record of any combatant unit on the Chinese side.

I think that is worth rereading, Mr. Chairman. It bears upon the earlier discussion of the writings of other correspondents. Let's just go back and reread:

Hanson, although frankly critical of Japan and sympathetic toward China, nevertheless reveals China's vast military impotency; the treachery of some grafting generals, and the lack of support given to the Chinese Communist Army—which all writers seem to agree has the best military record of any combatant unit on the Chinese side.

Now, the Chicago Tribune, December 18, 1939:

Just at the time when Russia's excursion into western imperialism is indirectly spotlighting the Chinese-Japanese stalemate, Haldore Hanson, a young war correspondent, gives us an exciting three dimensional panorama of that eastern conflict.

Hanson went to Japan and China in 1934 as a steerage passenger, found friends among the natives, ate their food, learned their language, eventually taught their children. When war came he understood the strangely dissimilar philosophies that had so much to do with shaping its course. * * * He was first to get into the guerrilla territory. Free-lance newspaper work had given him a background of information about China and Japan that lends authenticity to his reports.

That is all I shall read of those reviews.

In commenting on the book, Senator McCarthy used partial quotation from it as a basis for the statement that "this young man has a criminal record in China where he was arrested, not by the Communists, but by the anti-Communists."

Let me state for this record, I have never been arrested by anti-Communist officials of the Chinese Government. I have never been arrested by any other kind of officials of the Chinese Government. My only arrests in China were by Japanese Army military police, when I tried to investigate atrocities.

Senator McCarthy's false statement that I was arrested by anti-Communist officials is based on a careless quotation from page 349 of my book. I was talking about actions which threatened Chinese unity and might lead to a reopening of the civil war in the midst of the Japanese invasion. This passage in my book, which he read, reads as follows:

Anti-Red officials within the Government were taking every possible opportunity for indirect attacks upon the Communists. Local police made raids in a dozen cities upon book shops that handled Communist publications. Leaders of the Communist youth corps were arrested by military officers at Hankow. I myself was the victim of one of these incidents and found that local officials were the instigators.

That is what Senator McCarthy read to this committee, but the very next sentence goes on to explain what the incident was. It reads:

When I arrived in Sian from guerrilla territory and told the police that I was proceeding to the Communist headquarters at Yenan, my American passport was seized and held for 9 days.

Let me add that after my passport was returned to me by direction of the Chinese Foreign Office, the official who seized my passport gave

an official dinner in my honor attended by other high officials at Sian and he issued a public apology.

Senator TYDINGS. Mr. Hanson, before we leave that, in that incident where your passport was held up, you were not incarcerated, were you?

Mr. HANSON. No, sir.

Senator TYDINGS. Your passport was being examined and your credentials looked into?

Mr. HANSON. That is correct; yes, sir.

Senator TYDINGS. Were you told that you could not leave the city, or put under military or civilian guard?

Mr. HANSON. No, sir.

Senator TYDINGS. Was your freedom in any way restricted?

Mr. HANSON. Wait a minute. You asked if I was put under civilian guard. There was a man who followed me during the period that I was in Siam. I will say that as a newspaperman, on every front that I have ever gone to in wartime I have been followed by an agent of somebody. I am not saying this of myself but of every newspaperman.

Senator TYDINGS. I mean, were your movements circumscribed in any way.

Mr. HANSON. No, sir.

Whatever the circumstances of this detention of my passport, one would expect that a United States Senator would at least read these two or three sentences twice and perhaps make inquiry about them, before publicly branding an American citizen as a criminal.

Mr. Chairman, I have noted in Senator McCarthy's statement before this committee numerous errors in quoting from documents. I am not talking about his opinions; I am talking about actual misquotations where the document was in his hands and what he said to the committee was not in the text of what he had. I mean textual misquotations. In my experiences with a press association, if a reporter made one factual error, he was required to explain the circumstances to the city editor. If the error was of a character which might be libelous, the bureau chief was required to report to New York on the circumstances. One libelous error could ruin a newspaperman. If Senator McCarthy were a newspaperman, he would almost certainly be fired for writing the story he gave this committee.

Senator McCarthy cites three other writing activities which he believes will show that I am "a man with a mission to communize the world." They are:

1. That I was a contributor to Pacific Affairs.
2. That I wrote for the magazine Amerasia.
3. That I was running a Communist magazine in Peiping when the Japanese-Chinese war broke out.

There were only a few American magazines devoted to far eastern affairs when I was writing about China. Among those few, one was Pacific Affairs, put out by the Institute of Pacific Relations, and another was Amerasia. What was more natural than that I should offer articles for sale to these magazines? I may say I was paid for them. I sold two to Pacific Affairs and two to Amerasia. The Amerasia articles were chapters from my book, adapted for magazine use.

Senator McCarthy has played up the association of these magazines with a doubtful character or two, and has played down their connection with eminently respectable American citizens. And having in this manner associated the magazines with communism, or disloyalty, or illegality, he has tied me to the same stump by pointing out that I sold articles to those magazines.

When I sold my few articles to Pacific Affairs and Amerasia they were eminently respectable journals, dealing with far eastern matters, and they carried articles by leading scholars on far eastern affairs. Pacific Affairs still does. Amerasia is dead. But that is beside the point. The point is that if we have got to the point in America where writers must assume responsibility for the political opinions, the morals, and the public activities which all of the editors or owners, or stockholders or writers that magazines may hold or later develop, then we have traveled far indeed from those basic principles upon which this country was founded. For my part, I do not believe that we have reached this point. I believe that base and loose charges of this sort, and those who prefer them, will receive the scorn and contempt of the American people that they deserve.

In connection with my Amerasia writings, Senator McCarthy stated that Philip Jaffe, the editor, was "arrested, indicted, and found guilty of having been in illegal possession of several hundred secret documents from the State, Navy, War, and other Government Department files." The arrest of Mr. Jaffe took place 6 years after I sold two articles to him.

Senator TYDINGS. Right there, Mr. Hanson, you had no connection with Mr. Jaffe in the theft of these articles, if he did steal them?

Mr. HANSON. No, sir.

Senator TYDINGS. You were not charged with stealing them?

Mr. HANSON. No, sir.

Let me say one further word about Senator McCarthy's charge that I "was running a Communist magazine in Peiping when the Japanese-Chinese war broke out." The Senator apparently is referring to a Chinese magazine devoted to resistance against Japan. The name of the magazine was Democracy. It appeared twice a month for 3 months in the spring of 1937. My name was on the board of editors for two issues and I attended one board meeting. On the board of editors were four professors from Yen-Ching University, one of the 13 Christian colleges in China, three newspaper writers, and one social welfare worker at the Peiping Union Medical College, the Rockefeller Foundation institution. Not one of these, to my knowledge, was a Communist. One that I know of, however, was a member of Chiang Kai-shek's executive committee in the Nationalist Party. The aim of the magazine was to promote a united front against Japanese invasion; and, with all due respect to Senator McCarthy, I submit that that was a laudable effort.

Mr. Chairman, in conclusion may I say I am a young man. I am not a national figure. My friends and associates are not national figures. I have tried to bring the best testimonial that is at my disposal—my own story of my life and what I have stood for.

I am a loyal American and I believe that I am entitled to have this committee say so. I deeply appreciate its attention. But the corrective action of this committee cannot attain the same headlines,

reach the same people, or fully counteract the suspicions and hatreds which Senator McCarthy's charges have unleashed. Congressional immunity may protect him from lawsuit, but it will not save him from moral accountability.

Senator GREEN. Have you finished?

Mr. Hanson, you are willing to answer questions of any members of the committee, I assume?

Mr. HANSON. Yes, sir.

Senator GREEN. I regret that Senator Tydings was not here at the opening. Have you any questions to ask, Senator?

Senator TYDINGS. None.

Senator GREEN. Senator Hickenlooper?

Senator HICKENLOOPER. Yes, I have some questions.

I would like to say again in this case, just to keep the record straight, Mr. Chairman, that I do not consider any questioning of this witness, or participation here, to be in the nature of a genuine investigation and in the interest of the witness himself and in the interest of an investigation I again call attention to the fact that we do not have access to all of the information which the Government has in its possession in connection with this case. That information undoubtedly would be illuminating and might entirely change the course of any questions that I might ask.

But in view of this curtain of refusal to have access to this information that confronts us, I can only explore certain things here in order to get answers to the questions.

I have made some notes on this statement as we have gone through it.

Mr. Hanson, first, just exactly what is your job with the State Department now?

Mr. HANSON. For the past 18 months I have been executive director of the Interdepartmental Committee on Scientific and Cultural Co-operation. It is a committee which spends about \$3,000,000 a year providing technical advisers to other governments and bringing their technicians to the United States for training. Recently, under the order read to this committee by Senator McCarthy, the work of my committee and the staff which I direct have been transferred from the Assistant Secretary for Public Affairs to the Assistant Secretary for Economic Affairs in preparation for the point 4 program. What we are doing is a forerunner in a very small way of the types of things that are proposed under point 4.

Senator HICKENLOOPER. And what will your job be under this new arrangement?

Mr. HANSON. Since the interim organization is only now charged with drawing up materials for presentation to the Congress, I cannot say for sure. As the title in the announcement indicates, "Chief of Projects Staff," I would describe it somewhat as supervisor of the activities which it has been decided to carry out. There is a division which is responsible for economic analysis and the determination of policy.

Senator HICKENLOOPER. Are you over that division?

Mr. HANSON. No.

Senator HICKENLOOPER. Do you have charge of that division?

Mr. HANSON. No. There is another division that supervises the transfer of funds to other agencies and sees that they carry out that job well.

Senator HICKENLOOPER. Are you connected with that division?

Mr. HANSON. Yes, sir.

Senator HICKENLOOPER. Are you head of that division?

Mr. HANSON. Yes, sir.

Senator HICKENLOOPER. Do you have any other duties?

Mr. HANSON. No.

Senator HICKENLOOPER. Do you prepare or develop or pass on policies that are brought up for recommendation to any other departments or the Congress?

Mr. HANSON. I am member of a staff which prepares papers for an interdepartmental committee on point 4. I have not myself had time to work on point 4.

Senator HICKENLOOPER. Do you have authority to work on point 4?

Mr. HANSON. Oh, yes, sir; yes, sir. I have worked all last year on the United Nations side of point 4. I was out of the country during most of the year attending United Nations meetings.

At the moment I am engaged more or less full time in working on the direction of our present activities abroad, and I have been consulted on the preparation of the budget of point 4, which is coming down to the Congress.

Senator HICKENLOOPER. Have you described fully the complete extent of your duties or assignments, either at the present time or under the new arrangement that is now proposed, as you understand them?

Mr. HANSON. I believe so; yes, sir.

Senator HICKENLOOPER. I want to go through the mimeographed statement that I was furnished, made by Senator McCarthy here some days ago in connection with your matter. Do you have a copy of that statement?

Mr. HANSON. I do not, sir.

Senator HICKENLOOPER. I just have the mimeographed statement. I do not have the transcript. I will read the statement that I want to ask you about. The statement is as follows, from Senator McCarthy:

Hanson's appointment is not made by the President but by the State Department and is not subject to any Senate confirmation.

Is that a correct statement?

Mr. HANSON. That is correct; yes, sir.

Is it pertinent for me to add, sir, that there is an official to be appointed by the President and confirmed by the Senate who will perform the duties that Senator McCarthy read to this committee, but that is not I?

Senator HICKENLOOPER. Will you be subordinate to that official?

Mr. HANSON. I will; yes, sir.

Senator HICKENLOOPER. On page 5 of this mimeographed statement—I am sorry I will have to refer to that in order to identify it because I do not have the transcript and I went through this hurriedly this morning so I may have missed several things that I should give you an opportunity to answer—is an alleged quotation from your book, chapter 23, entitled "Political Utopia on Mt. Wut'Ai"—I hope you will correct my Chinese pronunciation, if necessary. In describing a meeting with an American Major Carlson, here is what he had to say:

We stayed up till midnight exchanging notes on guerrilla armies, the farm unions, and the progress of the war. I was particularly interested in the Communist leaders whom Carlson had just visited and whom I was about to meet,

Mao Tse-tung, the head of the Communist Party, Carlson characterized as "the most relentless man I ever met, a social dreamer, a genius living 50 years ahead of his time." And Chu Teh, commander in chief of the Eighth Route Army, was "the prince of generals, a man with the humility of Lincoln, the tenacity of Grant, and the kindness of Robert E. Lee."

That conversation, I take it, did actually take place with Major Carlson?

Mr. HANSON. Yes, sir.

Senator HICKENLOOPER. Did you adopt that philosophy with regard to those Chinese generals mentioned as your own philosophy? Did you believe that to be true at that time?

Mr. HANSON. Let me say first, sir; that that is a description rather than a philosophy. I cannot speak now of what my views were in 1938 when I wrote that, but it is my recollection from my one or two meetings with Chu Teh, the military commander, that he was humble, that he was tenacious, and that he was kindly. I don't think I myself would have picked those particular phrases to describe him.

Senator HICKENLOOPER. May I ask you this, then. Did that conversation with Major Carlson lead you to adopt, or convince you, or lead you to lean toward, that idea about these men?

Mr. HANSON. I can't say what influence it had at the time. I don't think my meeting with Carlson one night in the course of a war would greatly influence my thinking on any subject.

Senator HICKENLOOPER. Still on the same page, Senator McCarthy states as follows. This is page 5:

On page 349 he—

meaning Hanson—

condemns the right-wing groups in the Chinese Government for "fighting against the democratic revolution as proposed by Mao Tse-tung and the Communists."

Now, I have been unable to get a copy of your book.

Mr. HANSON. I will be glad to make one available to you, sir.

Senator HICKENLOOPER. I will be glad to see it.

Senator GREEN. May I offer you a copy of the book?

Senator HICKENLOOPER. You have been far more successful than I have, Senator. I would like to know the magic of your touch.

Senator GREEN. I would like to share my success with you.

Senator HICKENLOOPER. You are always generous in sharing material things.

Let me say my failure to get your book is no criticism one way or the other. I have tried to get it and have not been able to locate one.

May I read a little further, now that I have the book? This is the beginning of the first full paragraph on page 349:

The expulsion of Wang Ch'ing-wel cleared the Chinese of any further talk about surrender, but it did not eliminate the fundamental source of friction between the Nationalists and the Communists. Right-wing groups in the Chinese Government still insist on a one-party administration. They are fighting against the democratic revolution as proposed by Mao Tse-tung and the Communists. Even the minor privileges given to the Communists are strongly opposed by the old guard of the Nationalist Party.

I have read the full paragraph. I do not know what else is contained on the page.

But what I want to ask you is, Do you believe that the Communist movement in China under Mao Tse-tung is a democratic movement as we understand it?

Mr. HANSON. Let me commence first—

Senator HICKENLOOPER. May I say, did you believe it at that time? If you did, do you still believe it now? Say whatever you want to say about it.

Mr. HANSON. By coincidence, Senator, I have a letter in my hand which includes a copy of an article in the Manchester Guardian, published last week. The article is written by a man who lived in China at the time I did, I don't ever recall meeting him, although I know his name. His name is Michael Lindsay. He writes to the Manchester Guardian about Senator McCarthy's charges about me. He reports here something that I never heard before. It says, and I am quoting this from the Manchester Guardian:

I visited the Communist headquarters at Wut'Al in 1938 soon after Mr. Hanson had passed through, and was told that relations had become rather strained because of several heated arguments in which Mr. Hanson had maintained that the American type of democracy was greatly superior to the Communist type.

Now, let me go on and add: Mao Tse-tung was using the term "democracy" or "new democracy" as the general description of the Communist program in China. I did not put it in quotation marks; perhaps I should have. At least in 1950 as I look back perhaps I should have. It was the common term in newspapers of the day that Mao Tse-Tung was talking about a Communist type of democracy. I devoted an entire chapter in the book because I thought it was of value to American readers to find out what he meant by the term "democracy." You will find it in there, for he explained at length what his ideas of democracy are.

Senator HICKENLOOPER. I refer again to this statement, and I quote it again, which as I read the paragraph—and I might get a different connotation if I get the entire chapter—has no indication that you were referring at all to the Communist attitude, but that it is purely your conclusions and your own statement. It is as follows:

They are fighting against the democratic revolution as proposed by Mao Tse-tung and the Communists.

Now, the only question I am asking, and I think you are a little better source of authority about what your attitudes are than somebody who is writing for the Manchester Guardian is, did you believe at that time that the Communist movement was a democratic movement as we understand a democratic movement?

Mr. HANSON. No sir, and I think if you will look at the chapter in which I go at length into what the Chinese definition of democracy is, you will find I put it right out in the open for anybody in a public library to read. There is nothing secretive about the term "democracy" as applied to communism. I did not think then, and I do not think now, and I have quoted you one outside source who is no personal friend who said that my ideas of American democracy were different from the Communists', and I thought they were superior.

Senator HICKENLOOPER. I am concerned with your views as to what you believe and not what somebody else's views of what you believe may be. I want to hurry over this, because I want to give you opportunity to make a statement about these various quotations. That is my purpose.

Mr. HANSON. Could I go back for a moment, Senator, to the prepared statement that I read, in which I pointed out that the greatest

danger to the defense of China was the hazard of a reopening of the civil war in the face of the Japanese invasion; that I, as most of the reviewers of my book commented, was partial to the Chinese cause. I wanted to see them win the war against Japan. In the face of that I was critical, in 1938, of those Chinese officials under Chiang Kai-shek who were hamstringing the efforts of the Chinese Communists to carry on a united front through Chiang Kai-shek.

Senator GREEN. Mr. Hanson, the language you used was "the democracy as proposed by the Communist leaders", was it not?

Mr. HANSON. Yes, sir. The Senator quoted me correctly.

Senator HICKENLOOPER. Further on page 6 of this mimeographed statement is a statement with regard to the seizure of your passport—that episode. I quote:

I finally used the 8th Route Army radio to communicate with the Chinese Foreign Office and secured an order for the return of the passport. The man responsible for this illegal action was Gov. Chiang Tung-wen, one of the most rabid anti-Red officials in China.

I understood you to say in your original statement that the Japanese had taken this passport.

Mr. HANSON. No, sir; no, sir.

Senator TYDINGS. He said that the Chinese did.

Senator HICKENLOOPER. I just inquired about the matter.

I want to go through these specific references that were made in your book in this statement, because I have no other references.

There is a statement here at the bottom of page 7, and I quote from Senator McCarthy's statement:

In this connection I might say that he very frankly points out that the Communists do not tolerate anyone who is not completely on their side.

That statement, I take it, was made in reference to your being with the Communist forces?

Mr. HANSON. Yes, sir.

Senator HICKENLOOPER. Do you have a comment on that?

Mr. HANSON. Yes, sir. I spent 1 full day reading my book trying to find that statement that Senator McCarthy refers to but does not quote, and I did not find it anywhere in the book. So I went through all of my magazine articles of 1939, and I finally found the quotation which a Member of the House of Representatives had quoted in 1947 out of context in making some charges against me. The statement is found in Pacific Affairs, September 1938. It says:

Since the emphasis of all propaganda is anti-Japanese—

writing now about the Central Guerrilla Headquarters—

the scapegoat of China's problems is no longer the landlord but the Chinese trader, or Lin chien, a phrase applied to any Chinese who works for the Japanese Government, sells Japanese merchandise, smokes opium, or refuses to cooperate in the struggle against Japan. The guerrillas do not tolerate neutrality. A man is either for them or against them.

I was writing about the Chinese propaganda campaign in central Hopeh, in which the guerrillas were seizing the property of any Chinese landowner who had cooperated with the Japanese and had not supported the Chinese guerrillas. It had nothing whatever to do with those who were newspapermen writing about communism or nationalism or any other ism.

Senator TYDINGS. How do you designate what you have just read, so I can come back to it?

Mr. HANSON. It is a quotation from Pacific Affairs, September 1938, page 290.

Senator McMAHON. Who was that Congressman?

Mr. HANSON. Representative Busbey, of Illinois.

Senator McMAHON. He is an "ex"; isn't he?

Mr. HANSON. Yes.

Senator GREEN. How many years ago was that?

Mr. HANSON. That was in 1947.

Senator HICKENLOOPER. On page 295 there is a statement—I have not found it here in the book yet—"Should this book ever fall into Communists hands, I must record that these two lonely men made excellent company during my 3 weeks in Yenan." I am not certain of the names of these men. Do you recall the two that are referred to?

Mr. HANSON. I cannot give you the exact quotation, but I can tell you the circumstances.

The Chinese Communists had living in their political capital two foreigners. They were the only two foreigners who were permitted to live there. All others were transient newspapermen like myself. One was a German general from the First World War who went out and joined the Chinese Communists, helped to direct their civil war, and was broken in rank for mistakes that he made. He was a complete outcast in Yenan. Nobody would talk to him. He was naturally glad if some outsider came along with whom he could have a duck dinner and talk.

The other was an American medical man whose background I do not know. He would not give us his name. I know he was from New York City. He used only a Chinese name, I believe it was Ma Hai Di; at any rate, Ma was the name under which he went.

These two men were, I should say, of no respect among the Chinese Communists, and when I was shut up in my hotel for approximately 10 days—the Chinese Communists were holding a meeting of some kind after I got to Yenan, and, rather than let any inquisitive foreigner find out what they were doing, I was kept in my hotel room during that period. The only time I was allowed to go out was to a restaurant, where these two outcasts joined me. I found their company congenial, and I said so.

Senator HICKENLOOPER. Further, on page 9 in Senator McCarthy's statement is this quotation:

Some recent visitors to Yenan have spread a report that the academics are supported by Russian rubles—a thin piece of gossip. I was told by several Chinese leaders, including Mao Tse-tung, that the largest contributors came from American sympathizers in New York.

What about that statement? Have you canvassed that?

Mr. HANSON. One of the principal news stories of that time was an attempt to track down what was the actual Russian relationship to the Chinese Communists. At the time that I wrote this book I had been on almost every front on which Chinese Communist soldiers were operating, and I had been to their political headquarters; I had been to their field headquarters, where they were directing some of the guerrilla governments. In that time I had never found a Russian.

I had never found a piece of Russian equipment. There were only American guns that were coming through Chiang Kai-shek to the Chinese Communists or the Japanese equipment that they captured, or locally manufactured Chinese weapons. I found no evidence of any outside financial support for the Chinese Communists except from Chiang Kai-shek, and this one quotation which, to my surprise, I had no prior information and no subsequent information on. Mao said they were receiving money from a group in New York. I know no more information about it than what I stated. I assume it is something quite secretive, if Communists in New York are sending money, and I think it is significant to report to the American people if Chinese Communists say they are receiving money from New York.

Senator HICKENLOOPER. But you did conclude that the rumors that the academics are supported by Russian rubles were a thin piece of gossip?

Mr. HANSON. Yes, sir. I will say I was somewhat emotional about it, because some of the Chinese leaders who were fighting with the Communists kept up this kind of insinuation against the Communists in the midst of the Japanese invasion.

Senator HICKENLOOPER. Do you have any comment on the quotation from page 303, contained on page 9 of Senator McCarthy's statement, as follows: This is quoted from your book, I believe:

My attitude toward Communist China's leaders was a mixture of respect for their personal integrity and a resentment of their suspiciousness. They impressed me as a group of hard-headed, straight-shooting realists.

I know that you commented on that statement in your original statement, but I would like to amplify that just a little by asking you if you became convinced that they were earnest people, not connected with Moscow, and trying to do a humanitarian job.

Mr. HANSON. I became convinced, sir, that they were doing an honest job of fighting the Japanese, which was the main event of the period that I was writing in China.

Now let me comment on the word "integrity," which has puzzled me somewhat because it appears in this book as an adjective describing in one place a Japanese, in another place a Communist, and in a third place one of Chiang Kai-shek's officials. I assume what was in my mind was that against the background of corruption and instability and traitorism that characterized so many Chinese war lords whom Chiang Kai-shek drove out, the kind of corruption that had persisted in China for a hundred years, against that background a few officials were showing up who were honest and hard working and devoted to the national interests, and I think the Chinese Communists at the period I am writing of them here, in alliance with Chiang Kai-shek, were showing that kind of devotion to the national interest.

The correction that I made, of course, Mr. Hickenlooper, was that I had not said "straight-shooting realists," which has a certain moral applaud in it, and that is what Mr. McCarthy quoted to you, but I said "hard-shooting realists," and I am afraid some subsequent history has verified that.

Senator HICKENLOOPER. There is a statement at the top of page 10. I do not know what page of the book it is found on. Perhaps yo-

have checked it. It is a quotation alleged to be from the book, as follows. This is Senator McCarthy speaking:

After an interview with Mao Tse-tung, he—referring to Hanson—states:

"I left with the feeling that he was the least pretentious man in Yenan and the most admired. He is a completely selfless man."

Is that still your opinion of Muo Tse-tung?

Mr. HANSON. I can't say, since I have not seen him since 1938, whether he is pretentious today. I can't say whether he is admired, because obviously I am talking about other people's opinions, not my own. I can't even say today whether he is a selfless man, because I haven't seen him. I think that this reflects in general an article that appeared only a week ago Sunday in the Washington Post, a long story written by three Associated Press correspondents who were asked to give a summary of the present position of Mao Tse-tung in China, and his general characteristics. I was quite surprised to see many of the qualities that I described in him 12 years ago repeated in that story. At least three correspondents stated they were writing from their own experiences as Associated Press correspondents.

Senator HICKENLOOPER. Did you know, at the time you wrote, whether or not Mao Tse-tung and some of the other Chinese Communist leaders had been in Moscow, or were in Moscow for indoctrination in the Communist schools there?

Mr. HANSON. Yes, sir. I think I gave some of the first information to the American public on the number of Chinese Communists who had been to Moscow. Mao Tse-tung had not been. He made his first trip to Moscow somewhat after I was there, and I gather his recent trip to Moscow, which was in the newspapers, was an additional trip, but my book gives the information. In fact, I commented in the book, Mr. Hickenlooper, that the number of Chinese Communists who had been trained in Moscow was surprisingly small, and that the positions to which they had advanced in Chinese communism were particularly surprising because the Chinese Communist leaders distrusted most of those who had come back from Moscow. This is irrelevant to the point we were talking about, but it is all in my book.

Senator HICKENLOOPER. A statement here on page 10, and this is quoting Senator McCarthy, says:

Following is Hanson's description of how the Reds took over. I quote from page 102: "Whenever a village was occupied for the first time, the Reds arrested the landlords and tax collectors, held a public tribunal, executed a few, and intimidated the others, then redistributed the land as fairly as possible."

Did you quote that in your book with your approval of those procedures?

Mr. HANSON. The comment I would like to make is on a group of three paragraphs. Senator McCarthy took from my book a quotation about 1933, when the Chinese Communists were fighting against Chiang Kai-shek. He put it in this testimony alongside of another quotation in 1938, when I had been observing the Chinese Communists fighting the civil war, and it leaves you with the impression that those two were written in juxtaposition. They were in periods completely unrelated to each other.

Senator TYDINGS. Will you mark that page, Senator Hickenlooper, so I can refer back to it again?

Senator HICKENLOOPER. Page 102.

I have, I think, just two more questions, Mr. Chairman.

A quotation from the bottom of page 32 is as follows, quoting Senator McCarthy:

On page 32 of his book, Hanson justifies "The Chinese Communists chopping off the heads of landlords—all of which is true—because of hungry farmers."

Now, I think I should read these several sentences here, and you may read others if I do not cover it sufficiently. This is the first full paragraph beginning at the middle of page 32, quoting from the book:

I have often wondered whether it is possible to apply static criteria of good and evil in judging such a desperate situation. The outspoken YMCA orator, Sherwood Eddy, has horrified audiences all over the world by his description of the Chinese Communists chopping off the heads of landlords—all of which is true. But I wonder if Mr. Eddy would express the same moral indignation if he had met some of those hungry farmers in Kiangsi, the stuff that Chinese communism was made of.

I think the connotation here—and I would like to have your comment on it—was that you were in accord with the summary action of the Chinese Communists in chopping off the heads of landlords. I just want you to comment on it, is all.

Mr. HANSON. I think, Mr. Chairman, that you are entitled to draw that conclusion in one interpretation of what I wrote. I puzzled over this paragraph when I reread the book. I had not seen it for 11 years. I think I can say what I thought I was writing about then. There are situations in this world where two forces, both of them evil, collide, and it is a matter of choosing between the least of the two evils. I was expressing my doubt that there was complete moral justification on one side and complete lack of moral justification on the other.

If you do not mind, Senator, I will read a couple more sentences just beyond that which may help.

Senator HICKENLOOPER. Read anything you want to read. Go ahead!

Mr. HANSON. I said:

These men were not hungry through any act of God. It was a man-made famine. There were no good years and bad years, no ups and downs. Some families had been hungry for three generations.

The reason I happened to put this section in my book, I went down to that region after Chiang Kai-shek had driven out the Communists and was conducting what he called the reconstruction of the region. I wrote some very enthusiastic articles about that reconstruction. I wrote about the health work, the schools, the efforts to reduce the interest rates on debts for the Chinese farmers, the new laws on reducing rent, all of which was getting at the one point that the Chinese farmer is interested in, which is how he can fill his rice bowl.

The Chinese farmer has no interest in communism, nationalism, democracy, patriotism, or any other ism. He is primarily interested in a desperate struggle for life and how can he fill his rice bowl, and I am not surprised that in all of the writing I have done about the Chinese farmer I should have been somewhat sympathetic with this group who were preyed upon by the Communists and who saw one thing—how to take care of the appalling situations that were causing hunger and hardship in their families.

Senator HICKENLOOPER. Then you were committed at that time to the theory that that was an agrarian revolution and not a revolution supported and inspired through Moscow stimulation of one kind or another?

Mr. HANSON. Senator, there was an agrarian revolution going on in China since 1860. The Communists did not invent it; the Chinese were fighting an agrarian revolution for the last 90 years. The Communists have exploited it. There is not question about that.

Senator HICKENLOOPER. By the Communists, do you mean Mao Tse-tung?

Mr. HANSON. Yes, sir.

Senator HICKENLOOPER. He has exploited the agrarian revolution?

Mr. HANSON. I think so; yes, sir.

Senator HICKENLOOPER. That gets me down to this situation: Do you believe that the so-called revolution, the leadership and the authority controlling it, beginning with the leadership of Mao Tse-tung, is a Communist Marxist inspired revolution, leaving out the people who follow the armies and all that, but talking about solely the leadership and the programing of this revolution? Do you believe it is a Communist Marxist revolution now, and that the leaders are Communist, Marxist, cooperators with Moscow, or do you believe that it is still an agrarian movement so far as its leadership and the planning and the control of the organization?

Mr. HANSON. Senator, I believe now it is.

Senator HICKENLOOPER. Is what?

Mr. HANSON. I believe now that it is directed by Moscow and the International Communist movement, and I wrote in 1938 in this book that we are speaking of the following quotation from Mao Tse-tung, which I thought was significant, because others had said that the Chinese Communists were not real Communists. Senator, there were writers in 1938 who told the American public that the Chinese Communists were not real Communists; they were just agrarian reformers. I think any fair reading of my book will show over and over again that I pointed out that he had Marxist translations of all of the principal Russian works; that they had had people trained in Moscow; they used a hammer and sickle flag which I was the first to photograph and send back to American newspapers, and so on. There is nothing concealed in this book about the Communist nature of the Chinese Communists.

I would like to read this quotation from Mao Tse-tung which bears directly on the seeming contradiction that I understand your questions are getting at:

On page 308 of the book—I am quoting Mao Tse-Tung:

The Chinese Communist Party—

he began—

has not ceased to be Communist. Our final goal is unchanged, but the forces of revolution have recently shifted, and we must alter our program accordingly. Ten years ago the chief enemy of the Chinese masses was the village landlord and money lender; in other words, the forces of feudalism * * * but gradually the danger of Japanese invasion overshadowed the evils of Chinese feudalism—

and then he goes on to explain their resistance against Japan.

Senator HICKENLOOPER. Let me ask you this: Did you support the theory at the close of the Japanese phase of the war, and shortly after that, that there should be a coalition government in China between Chiang Kai-shek or the Kuomintang groups and the Communists, and that the Communist representatives should be taken into the Government of China?

Mr. HANSON. Senator, I have never had any position in the State Department that required me to have an opinion on the political policies toward China. In fact—

Senator HICKENLOOPER. I ask you the question, not that you are official, necessarily, but you spent some time in China and wrote a book on China, and I think you know a lot about it.

Senator GREEN. He had not finished his sentence.

Senator HICKENLOOPER. I am just trying to get my question answered.

Senator GREEN. He was answering it and he was interrupted in the middle.

Senator HICKENLOOPER. I am very used to interruptions, so they don't bother me.

Mr. HANSON. I was merely going to say, Senator, that during the period that I worked on China cultural relations during the war and the Information program with China during 1937-38, I was subordinate to the policies laid down by the Secretary of State. I was told what the official political policies of the State Department were and that is what we carried out in conducting our action program.

As to the specific question you asked about 1946, I have never seen the documents which General Marshall was given. I have never seen the premises under which his mission was undertaken, and frankly I have never fully understood the assumptions that were made in undertaking that mission.

Senator HICKENLOOPER. Maybe I can make my question a little clearer. I wasn't asking about General Marshall's attitude or anybody else's attitude; I was asking about your attitude and position as a result of your experience in China and your writing. What was your attitude about the matter at that time, 1946, let's say? Should, in your opinion, at that time, the Communists have been taken into a coalition government with Chiang Kai-shek's government? That is my question.

Mr. HANSON. The big question in China at the period that General Marshall's mission went to China was whether the Chinese Communists in their previous assertion that they wanted to develop China in a peaceful coalition were sincere or whether the outbreak of a sporadic civil war in 1945-46 indicated that they had already abandoned any previous statement that they had made and were ready for an all-out drive to take over China.

I don't know; I don't think anyone but those who were giving it full-time attention knows enough of the facts to judge whether it was a 50-50 chance that General Marshall was going on, or whether there was a likelihood at that time that a peaceful Chinese Government and peaceful progress could have come out of such a situation.

Senator HICKENLOOPER. Again may I ask, did you have any independent personal opinion as to what should have been done on that line in 1946? If so, I shall be glad to have you express it.

Mr. HANSON. I can't recall, sir. I stated in my formal statement here that since VJ-day it has been evident that the Chinese Communists have been guided in their actions by the international Communist movement.

Senator HICKENLOOPER. In other words, you can't recall whether you had any position in your own mind as to what should have been done by way of a coalition government at that time, or not?

Mr. HANSON. No, sir.

Senator HICKENLOOPER. I will preface this question to you, Mr. Hanson, by stating that were you here testifying on behalf of the State Department I would not ask you, in your official capacity, to express a personal opinion which might diverge from the position of the State Department.

You are here at your own request, testifying on these matters, therefore I feel justified in asking you this question, and I would like to have your personal opinion, irrespective of that fact that you are employed by the State Department now. That is, are you in agreement with the position as announced by the State Department and the Government, and what has been interpreted by many people to be an abandonment of the Nationalist Government of China so far as active support is concerned, and the apparent willingness to see all of China taken over by the Communists?

Senator McMAHON. Before that question is answered, I would like to know the purpose of it. Is that a question to test his loyalty to the Government for which he is working?

Senator HICKENLOOPER. The purpose of it is to secure an answer.

Senator McMAHON. I presume so. But I would like to see some relevancy demonstrated, although I realize that it certainly is not a test that can be applied in committee procedure.

Senator HICKENLOOPER. I think there are many things involved. I am merely exploring Mr. Hanson's attitude toward the whole complex Chinese situation there, and I think it is very pertinent for him to express his attitude. As I said, I would not have asked him the question had he been here as an official representative of the State Department expressing State Department policy. Inasmuch as he is here at his own request, and has volunteered to testify, I feel justified in asking the question.

Senator GREEN. He is here at his own request, but he is here to refute the charges that have been made against him. That is a distinction.

Senator HICKENLOOPER. So I would renew my question, Mr. Hanson.

Mr. HANSON. I do not mind answering the question. I do not think I have any comment to make that is of any expert value to this committee. I have found in my 8 years in the State Department that any policy of the State Department is based upon an enormous amount of evidence and enormous reading of documents and enormous numbers of meetings, and I have frequently found when I have not been in on those documents and those meetings and have subsequently seen the evidence on which a policy was based that I understood it where I had not previously.

I have not been concerned with China policy or with any communications from China for the past year and a half. I have seen none of the documents on which our present policy is based. Under such circumstances, toward China or toward any other region of the world

I am willing to believe that the officers of the Department who are responsible and who are being directed by the Secretary of State to assemble the evidence have done a good job. Beyond that I have no independent judgment on the matter.

Senator HICKENLOOPER. In other words, your position is that you follow the policy that is laid down.

Mr. HANSON. Yes, sir.

Senator HICKENLOOPER. I will say now, Mr. Hanson, that one of the reasons I asked you that question is that if you are placed, either now or later, in a position of recommending policy and formulating programs, your particular attitude, which is bound to be reflected in recommendations that you would make, would become very important indeed as to our future actions and so on in the Orient. That is one of the purposes that I sought to serve in asking you that question.

Mr. HANSON. Could I comment further, Senator, that if I were later put in a position of recommending policy or advising on policy, I assume I would be given access to all of the pertinent documents, and I am sufficiently independent in judgment that I would make up my own mind at that time. At the present time that is not my responsibility. I do not have the facts and I am therefore willing to defer to those who do and who know more than I do about it.

Senator HICKENLOOPER. I think that is all. Thank you, Mr. Hanson.

Senator GREEN. Senator McMahon, do you have any questions?

Senator McMAHON. The charge has been that there are 250 card-carrying Communists in the State Department; 57 on another occasion, and 81 on another occasion. I take it that you do not come within any one of those three figures?

Mr. HANSON. I was not in the 81, I am informed by the Department officers who determined who the individuals were. As to the 205 I have no way of knowing. Senator McCarthy submitted no list of 205.

Senator McMAHON. Of course, the committee does not know that either.

In other words, you are not a card-carrying Communist, and never have been.

Mr. HANSON. No, sir.

Senator McMAHON. That is all.

Senator GREEN. Senator Lodge, do you have any questions?

Senator LODGE. Mr. Hanson, from December 1941 to 1945 were you in this country all the time?

Mr. HANSON. Yes, sir.

Senator LODGE. You were working for the State Department?

Mr. HANSON. Yes, sir.

Senator LODGE. Is that the only Government agency for which you ever worked?

Mr. HANSON. Yes, sir.

Senator LODGE. You had no connection with the Army, Navy, or Air Force?

Mr. HANSON. No, sir.

Senator LODGE. Do I understand you to say that you were the subject of a very thorough examination by the FBI?

Mr. HANSON. Yes, sir.

Senator LODGE. And they without any reservations whatever cleared you?

Mr. HANSON. You understand, Mr. Lodge, the FBI does not clear, but on the basis of the FBI report the State Department cleared me both for loyalty and security.

Senator LODGE. So you are cleared for top secret information?

Mr. HANSON. Yes, sir. It is my understanding also that I could not be in my present job if that had not been reviewed by the Civil Service Loyalty Review Board more than a year and a half ago, although I have seen no direct report of what action they took.

Senator LODGE. You believe that you have been cleared by the FBI, by the Civil Service Loyalty Board, and by the State Department itself?

Mr. HANSON. Yes, sir; subject to the comment I just made, that the FBI expresses no findings. It submits the full investigative report.

Senator LODGE. That is all.

All right; thank you.

Senator GREEN. Senator Tydings?

Senator TYDINGS. Mr. Hanson, I would like you to turn to the paragraph in Pacific Affairs for December 1938 so we may have it in one place in the record, and read, if you have it, what Senator McCarthy took out of this paragraph, and then I would like you to read the whole paragraph, immediately thereafter. Can you do that?

Mr. HANSON. It will take me a moment to find the quotation.

Mr. Chairman, I would like to read two paragraphs from the article. I had not previously looked this up. I see there are two paragraphs that are quite pertinent to this misquotation.

Senator TYDINGS. Are you quoting Senator McCarthy or your own article?

Mr. HANSON. I will quote first my own article and then what Senator McCarthy said about the article, or I can give it to you reversed, if that is the way the committee would like it.

Senator TYDINGS. I would like for you to have it reversed, because that is the way it came to the committee. Take your time and do it accurately.

Mr. HANSON. I am quoting Senator McCarthy, on page 195 of the committee record:

In this connection I might say that he—

referring to Hanson—

very frankly points out that the Communists do not tolerate anyone who is not completely on their side. This is what Hanson himself said—they do not tolerate anyone who is not completely on their side.

Senator TYDINGS. That was one of the charges against you, I believe. Now read the whole paragraph as you read it from Pacific Affairs.

Mr. HANSON. The passage from Pacific Affairs, page 290—I do not see the date on it—

Senator TYDINGS. December 1938.

Mr. HANSON. Thank you. It reads as follows:

Despite the fourth purpose—revolutionary force—there is not a word about communism in the school books, magazines, posters, slogans, or speeches.

I am writing, Mr. Chairman, about a visit to the guerrilla headquarters.

At public meetings the Kuomintang flag was always displayed with a Communist hammer and sickle emblem, but I never heard communism mentioned in mass propaganda.

Naturally the political leaders, trained in the anti-Japanese academy, are familiar with the writings of Marx and Lenin, and have not abandoned their hopes for a Socialist Republic in the distant future. But there is not the slightest evidence of immediate revolutionary plans.

Since the emphasis of all propaganda is anti-Japanese, the scapegoat for China's troubles is no longer the landlord but the Chinese trader or Lan chien, a phrase applied to any Chinese who works for a Japanese Government, sells Japanese merchandise, smokes opium, or refuses to cooperate in the struggle against Japan.

And here is the sentence you wanted:

The guerrillas do not tolerate neutrality. A man is either for or against them. Even the Kuomintang representative who attended the conference of guerrilla leaders during January 10-15, 1938, blamed the 10 years of civil war upon the traders.

Senator TYDINGS. That is all right. Now stop right there. Can you locate in Senator McCarthy's testimony the reference to Major Carlson, and will you take out of the paragraph that contains his reference what Senator McCarthy said, and then read the whole paragraph? Here is the book, if you want it.

Mr. HANSON. In the transcript of the hearing before this committee, on page 189, Senator McCarthy stated:

In chapter 23, entitled "Political Utopia on Mount Wut'Al," in describing a meeting with an American Major Carlson, here is what he had to say:

"We stayed up till midnight exchanging notes on guerrilla armies, the farm unions, and the progress of the war. I was particularly interested in the Communist leaders whom Carlson had just visited and whom I was about to meet. Mao Tse-Tung, the head of the Communist Party, Carlson characterized as 'the most selfless man I ever met, a social dreamer, a genius living 50 years ahead of his time.' And Chu Teh"—

still quoting from Hanson—says—

"And Chu Teh, commander in chief of the Eighth Route Army was 'the prince of generals, a man with the humility of Lincoln, the tenacity of Grant, and the kindness of Robert E. Lee.'"

Senator TYDINGS. Now read it in the book.

Mr. HANSON. The book states:

"We stayed up till midnight exchanging notes on guerrilla armies, the farm unions, and the progress of the war. I was particularly interested in the Communist leaders whom Carlson had just visited and whom I was about to meet. Mao Tse-Tung, the head of the Communist Party, Carlson characterized as—

Senator TYDINGS. Now you are quoting Carlson? I want you to tell me when you have finished quoting Carlson.

Mr. HANSON (Continuing):

"the most selfless man I ever met, a social dreamer, a genius living 50 years ahead of his time."

That is the end of the quote from Carlson, and then I continue:

And Chu Teh, commander in chief of the Eighth Route Army was "the prince of generals, a man with the humility of Lincoln, the tenacity of Grant, and the kindness of Robert E. Lee."

Senator TYDINGS. Then both of those statements were made to you by Major Carlson?

Mr. HANSON. Yes, sir.

Senator TYDINGS. You obviously could not have made them yourself because you had never seen these men. You were just on your way to see them.

Mr. HANSON. Yes, sir.

Senator TYDINGS. So the connotation in the transcript is that you made that description, but the connotation in the book shows that you are simply quoting Major Carlson.

Senator HICKLENLOOPER. I thought I pointed that out very clearly when I read this and asked for his comment.

Senator TYDINGS. A little emphasis won't hurt on this particular thing.

Who is Major Carlson?

Mr. HANSON. Major Carlson was at that time assistant United States naval attache in China.

Senator TYDINGS. Was he a regular officer in the United States Navy?

Mr. HANSON. He was in the Marine Corps; yes, sir.

Senator TYDINGS. Was he afterward in charge of "Carlson's Raiders," who made one of the first attacks of the war on one of the islands in the Pacific?

Mr. HANSON. Yes, sir.

Senator TYDINGS. This is the same man who led "Carlson's Raiders" on Makin, I believe.

So that the whole quotation is not your quotation but the quotation of Major Carlson, who was telling you of his estimation of these gentlemen, and you reported what his estimation was?

Mr. HANSON. That is right.

Senator TYDINGS. Had you at that time ever seen the two men to whom the quotation refers?

Mr. HANSON. No, sir.

Senator TYDINGS. You had not?

Mr. HANSON. No, sir.

Senator TYDINGS. That is all.

Senator GREEN. Are there any further questions?

Senator HICKENLOOPER. Just to be sure that the chairman does not understand that I was attempting to say that Mr. Hanson had said all this, I call his attention to the fact that I called attention to the Carlson quotations, and the only question I asked him was, did he later come to that opinion himself?

Senator TYDINGS. The only object I had in asking these questions is that I got the definite opinion from Senator McCarthy's testimony that there were the words of the witness, and not the words of Major Carlson, and I wanted to clear that up beyond peradventure of doubt at one place in the record, for future reference.

Senator GREEN. Are there any further questions or observations?

Senator McMAHON. I will save those.

Mr. LOUISELL. Mr. Chairman, the exhibit to which Mr. Hanson referred concerning his statement of duties with the Department of State, 1942 to date, is available.

Senator GREEN. Will you give your name and so forth for the record?

Mr. LOUISELL. David W. Louisell, counsel for Mr. Hanson.

In case the text of Mr. Hanson's letter to the chairman of this committee has not already been placed in the record, we would like also to submit that.

Senator GREEN. If there is no objection. They are received as exhibits 58 and 59.

Senator HICKENLOOPER. You are a local Washington attorney?

Mr. LOISELL. That is correct.

Senator HICKENLOOPER. You are not connected with the Government?

Mr. LOISELL. No, sir.

Senator GREEN. Is there anything further? If not, the committee stands adjourned.

(Whereupon, at 12:35 p. m., the hearing was adjourned, to reconvene on Wednesday, April 5, 1950, at 10:30 a. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, APRIL 5, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment on March 28, 1950, at 10:30 a. m., in the Caucus Room, room 318, Senate Office Building, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Senator TYDINGS. The committee will come to order. Because we have asked the whole State Department Loyalty Board to be here; and, because we have asked Mr. Seth Richardson to be here at 11:30, to explain the procedures of his Board, I would like to start promptly, even though the full subcommittee has not come in, in order that these gentlemen may return to their work and Mr. Richardson may keep an engagement which he has for the forepart of the afternoon.

Before proceeding with the matter, I would like to say that this meeting this morning is called for the purpose of acquainting the committee and the public with the procedures that are in effect in passing on employees in the State Department, either for employment or after they are employed; what steps are taken from time to time and—how it is done—to check the loyalty of the employees of the State Department.

We are devoting this morning primarily to procedures, to find out whether those procedures are adequate, and whether the gentlemen who may testify have any recommendations to make, either in the form of legislation, or any other form which will make the procedures for the checking of loyalty cases of employees in the Government more effective than they are now, so that when you do testify, please keep such thought in mind for the information of the committee.

Now, I understand that it would be in the interest of orderly procedure if the first witness were to be Mr. Nicholson, who I believe is in charge of this particular operation in the State Department.

Mr. Nicholson, will you hold up your right hand.

Do you solemnly promise that all the evidence you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NICHOLSON. I do.

**TESTIMONY OF DONALD L. NICHOLSON, CHIEF OF THE DIVISION
OF SECURITY, DEPARTMENT OF STATE**

Senator TYDINGS. Give us first your name and occupation, as well as your age.

Mr. NICHOLSON. Mr. Chairman, my name is Donald L. Nicholson, 44 years of age, I am presently Chief of the Division of Security of the Department of State.

Senator TYDINGS. Where do you live, Mr. Nicholson?

Mr. NICHOLSON. Chevy Chase, Md.

Senator TYDINGS. How long have you had this position?

Mr. NICHOLSON. Since June 1948.

Senator TYDINGS. What did you do prior to that?

Mr. NICHOLSON. Well, prior to that, let me go back and give you considerable of my background—

Senator TYDINGS. Just a brief account, not extensive, so we will have some understanding of your experience.

Mr. NICHOLSON. I have an A. B. degree from Bucknell University, and an LL. B. degree from George Washington University. After graduating from George Washington, I accepted a position in the Federal Bureau of Investigation, and worked with the FBI until—

Senator TYDINGS. Were you an FBI agent at one time?

Mr. NICHOLSON. Yes, sir.

Senator TYDINGS. How long has it been since you left the FBI?

Mr. NICHOLSON. I left the FBI in November of 1935.

Senator TYDINGS. How long were you with the FBI?

Mr. NICHOLSON. From August of 1931 until November of 1935.

Senator TYDINGS. So you served there approximately 14 years—

Mr. NICHOLSON. No, sir; until 1935.

Senator TYDINGS. How long would that be, 4 years?

Mr. NICHOLSON. A little over 4 years.

Senator TYDINGS. And in the course of that experience, did you have occasion to get statements in reference to individuals who were under investigation by the FBI?

Mr. NICHOLSON. Oh, yes.

Senator TYDINGS. Did you have occasion to notice the procedures practiced by the FBI?

Mr. NICHOLSON. Yes, sir.

Senator TYDINGS. I suppose from that experience, you have used a great deal of the same technique and procedure in the State Department?

Mr. NICHOLSON. That is correct.

Senator TYDINGS. I think you have qualified yourself sufficiently so, if you have a written statement, you may proceed to give it to us.

Mr. NICHOLSON. Mr. Chairman, I have no written statement, but I do have and would like to present the over-all program from the charts which are exhibited to my left, and photostats.

Senator TYDINGS. Before you do that, there is one other question that ought to be in the record.

How long has this particular program been in effect in the State Department?

Mr. NICHOLSON. The program I will discuss this morning was established in the Department of State in 1947.

Senator TYDINGS. What time in 1947?

Mr. NICHOLSON. In the summer months of 1947.

Senator TYDINGS. How did it come about? Was it done by legislation or otherwise?

Mr. NICHOLSON. Partially by legislation—well, not legislation, but the President's Executive Order 9835, which established the President's loyalty program.

Senator TYDINGS. So that this loyalty program was set up by Executive order of President Truman in the summer of 1947?

Mr. NICHOLSON. That is quite true.

Senator TYDINGS. There was no program prior to that time, comparable to this?

Mr. NICHOLSON. That is correct, sir.

Senator TYDINGS. Go ahead, sir.

Mr. NICHOLSON. From the chart, I would like to present the loyalty and security program in the Department of State as it exists today.

The charts, as I previously stated, are to my left—the large chart. The members of the committee and of the press have copies of the photographs of the chart.

I would like to start with the chart that is exhibited now, showing the chain of command for personnel security in the Department of State. You will notice that Mr. Peurifoy, the Deputy Under Secretary—

Senator TYDINGS. Let me interrupt you long enough to say, when you discuss each one of these charts, will you say, "I hand this one to the reporter for the record," so the record will show what chart you are discussing.

Mark that first one as exhibit 60.

Mr. NICHOLSON. The first chart which has been introduced as exhibit 60 reflects at the top that the command of the security and loyalty program is under the direction of Mr. Peurifoy, who is Deputy Under Secretary of State for Administration.

Directly under Mr. Peurifoy is Mr. Boykin, who is Chief Director of the Office of Consular Affairs. Within the Office of Consular Affairs there are several divisions, one of which is the Division of Security, of which I am Chief.

Senator TYDINGS. So, you come under Mr. Boykin.

Mr. NICHOLSON. That is right.

Senator TYDINGS. What is the title of your office?

Mr. NICHOLSON. Division of Security.

Senator TYDINGS. All right; go ahead.

Mr. NICHOLSON. Which is one of the divisions under Mr. Boykin's supervision.

As we move down the triangle to the operating staff, the Division of Security shows myself as Chief. For the purposes of this particular program, it is broken down into three branches which are significant here. First is the Investigation Branch which is headed by Travis Fletcher, who has been an investigator of security work in the Federal Government for well over 20 years; the Evaluation Branch, which is crewed by specially trained evaluators of the current fronts, Communist-front organizations, Communist Party lines, meaning and significance of membership in organizations, the changes in the Communist line, and the whole areas that go to make up an evaluation of that sort of information. That is headed by Mr. Joseph W. Emshey.

The other branch you will notice is the Foreign Service and Domestic Security Branch, which is under Mr. Merrill Blevins, and under that is our physical security, the document control in our Washington office, and foreign missions; so that these three branches are the heart, so to speak, of the loyalty security program.

Senator TYDINGS. Mark the next exhibit as B.

Mr. NICHOLSON. You will note one other point: That the large arrow on the left shows that on February 18, 1947, Secretary of State Marshall delegated to Mr. Peurifoy full authority for and responsibility to carry out the loyalty security program of the Department.

As we move then to the next chart—

Senator TYDINGS. Which is 61.

Mr. NICHOLSON. Which is exhibit 61, you will notice the chart is headed "Enforcing the President's loyalty program."

Now, this chart, we must bear in mind, applies to employees who were enrolled prior to October 1, 1947, which was the cut-off date as established by the Seth Richardson Loyalty Review Board. Those were persons who were employees of the Department of State, and that is the processing that is given them by the—

Senator TYDINGS. By the State Department Loyalty Board?

Mr. NICHOLSON. Yes, sir; and the Federal Bureau of Investigation.

Senator TYDINGS. Go ahead.

Mr. NICHOLSON. You will notice on the left, the wedges with little round tops indicate employees who were on the rolls of the Department of State as of the effective date of October 1, 1947. As of that time, biographic sketches on all of the employees, fingerprint records of all the employees were forwarded to the FBI for a check. In processing, in the FBI, if the information came back that they had no disloyalty data on those persons, they were moved over into the cleared area. If the FBI had any information which raised any question, questions of their loyalty, the FBI conducted a full field investigation to run out all of the information pertaining to the allegations or the information which they had. That full FBI investigation then was submitted to the State Department Loyalty and Security Board.

Now, of that Board, the chairman, Mr. Conrad Snow, is here. He is here today, and will discuss this in more detail; that is, the operations of the Board.

Those cases were considered by the Board, the Loyalty and Security Board of the Department of State, which would submit to Mr. Peurifoy their recommendations for action.

Mr. Peurifoy then either followed their recommendation, either for dismissal or for clearance, and if it was for separation the employees had a right, under the Executive order, of appeal to the Secretary; and if the separation was upheld by the Secretary, had the right to appeal to the Loyalty Review Board of the Civil Service Commission.

Senator TYDINGS. That is the Board that Mr. Richardson handles?

Mr. NICHOLSON. That is the Seth Richardson board.

Senator TYDINGS. All right; go on.

Mr. NICHOLSON. If the individual, after consideration by the Department of State Board, was thought to be cleared, or the recommendation was to clear him, that report and that decision is post-audited by the Seth Richardson Board of the Civil Service Commission before they go up into the large circle marked "Cleared."

That does not mean that once the employees have gone through this procedure they are cleared forevermore.

We have in our own Department, in my own division, a constant screening and checking of our employees, over and above this immediate processing, so that if we see that, or have information that, anything has gone wrong, or is going wrong, we have a complete investigative staff to run those out and thus keep a constant check on our own people.

Senator TYDINGS. So, if you get a report or a rumor or an allegation, or circumstances unusual enough, there is a recheck and it is run down until they are cleared again.

Mr. NICHOLSON. That is true.

Senator TYDINGS. And in the event you find that a man on a recheck probably should be separated, he has the right to go back to the Seth Richardson Loyalty Review Board?

Mr. NICHOLSON. If on our recheck we find that information indicates that the person may be disloyal, that information will be turned over to the FBI for a complete loyalty investigation and it then would take this processing again.

Senator TYDINGS. I see.

Senator LODGE. Mr. Chairman, I would like to have him elucidate a little bit more on this procedure that is followed, after the person has been cleared and he or she is in the Department.

The original clearing, we will say, takes 3 or 6 weeks, whatever it is, and then a long haul begins of work in the Department.

Mr. NICHOLSON. That is right.

Senator LODGE. Which, of course, is the important phase of it. Nobody can do any harm while he is being considered. No damage can be done until after they are in.

Mr. NICHOLSON. That is right.

Senator LODGE. Now exactly—do you just sit back and wait for information on people, or for people to come in and tell you things, or do you have an accurate supervision—

Mr. NICHOLSON. No, Senator. We have an accurate recheck. We do, of course, get tips and information from persons within the Department that something may be wrong; but we have an accurate progressive program on a recheck basis.

I would hesitate frankly in a public hearing to disclose all of the techniques we use.

Senator LODGE. I do not want you to do that.

Mr. NICHOLSON. But it is an accurate and active program. It is not sitting back and being smug, but on security, it is moving things, and to be sure that things are relatively safe.

Senator LODGE. Tell me as much as you can now. I realize that some of these things have to be secret. I think the more details you can give the public about what you do, about after the people are in, the more reassuring it will be.

Mr. NICHOLSON. What we do is, if persons for instance are going into a code room, or in a sensitive area, we recheck everybody that goes into the code room. As persons change jobs, we recheck the persons, if they are going into higher positions, and things of that nature. We have a constant check on the documents, so that if anybody becomes careless with documents we know about it. We investigate the individual, not only for carelessness, but as to what actually he does take.

to determine whether he does not take documents, and we check as to why he is careless with documents and jack him up on that, and quite frequently go so far as to suspend persons and reprimand them and things of that nature, when they are careless with documents.

We frequently reinvestigate on our own, when we get information from within or without the Department that persons are associated with people that do not look right, and we have a constant—

Senator LODGE. Outside of office hours?

Mr. NICHOLSON. Yes, sir; and we have a constantly moving program covering all of those things.

• Senator LODGE. When they get a code, for instance—

Mr. NICHOLSON. Get one?

Senator LODGE. When someone gets a code—

Mr. NICHOLSON. No one handles codes, as such, Senator. It is not that type of an operation. We have a certain form of control over what we call top-secret documents and there are signed receipts for the documents, and it is a document control.

Senator LODGE. Thank you.

Senator TYDINGS. Go ahead, Mr. Nicholson. Have you finished with exhibit 61 now? If so, take the next and call it exhibit 62.

Mr. NICHOLSON. Looking at exhibit 62, then, which is entitled "Screening of Civil-Service Applicants," we must remember that our previous chart showed the incumbents, the processing of incumbents who were on the rolls of the Department as of October 1, 1947.

Senator TYDINGS. These are for new people coming in since October 1947.

Mr. NICHOLSON. Now, we are moving into that specific area, Mr. Chairman. You will notice on the chart that the left part of the chart is entitled "Security Screening." The applicants are designated on the left, and before an applicant comes into the Department, they are completely investigated by our own investigative staff; and certain other applicants by law are investigated by the Federal Bureau of Investigation. That applies particularly to the International Information and Education Exchange program in which there is a specific provision of Congress that they be investigated by the Federal Bureau of Investigation prior to appointment.

Now, after those investigations are conducted on the applicants, the reports are evaluated in the Evaluation Branch of the Division of Security. Applicants who are investigated on the strength of seeking employment with the Department, if there is anything in their record that we do not like, we disapprove them as an applicant, and there is no right of appeal because they are not employees and they are disapproved for employment in the Department.

Now, if in our security evaluation the applicant is approved for employment, he or she is then enrolled as an employee.

That is where you come then to the large black line up and down the chart.

Senator TYDINGS. And then they go through the same processing that they went through on chart 61?

Mr. NICHOLSON. That is quite true.

Senator TYDINGS. From the beginning to end?

Mr. NICHOLSON. That is true.

Senator TYDINGS. So that the new employee, after he has had what you might call preliminary screening and security clearance, must

then go through the whole process that the old employee had to go through who was on the roll prior to October 1947?

Mr. NICHOLSON. That is quite true.

I would like to make this exception to that: We consider it more than a preliminary screening; it is a full-blown investigation. We know those people when we bring them in, but as you say, it is quite true that after they come in, then the President's loyalty program comes into effect, and they go through the same procedure.

Senator LODGE. Mr. Chairman.

Senator TYDINGS. Yes, Senator.

Senator LODGE. A good deal has been made of the distinction between checking someone for loyalty and checking someone for the question of whether or not they are a bad security risk. Some people may be perfectly loyal, but, for some reason or other, they are not good security risks.

Now, as I gathered, you endeavor to cover both aspects thoroughly; is that right?

Mr. NICHOLSON. That is quite true.

Senator LODGE. You are aware of that distinction?

Mr. NICHOLSON. Yes, indeed; yes, indeed.

Senator HICKENLOOPER. Mr. Chairman, may I ask a question?

Senator TYDINGS. Yes.

Senator HICKENLOOPER. I notice on your chart that you go through the Department investigation and evaluation, and if the employee clears that, he is then enrolled as an employee.

Mr. NICHOLSON. That is right.

Senator HICKENLOOPER. Then thereafter the FBI investigation takes place.

Mr. NICHOLSON. Well, it may not be an investigation, Senator Hickenlooper. It may be this processing under the loyalty program—

Senator HICKENLOOPER. I am just reading from the chart. It says "FBI full field investigation"—after he becomes an employee.

Mr. NICHOLSON. That is where, in checking under the President's loyalty program, there is information that the FBI may feel is such that the loyalty investigation should be made.

Now those, I can assure you, are very, very few in number.

Senator HICKENLOOPER. Then, in fact, unless something comes up in either your investigation or other information that you get, there is no full field FBI investigation of employees after they become employees of your Department.

Mr. NICHOLSON. That is quite true. However, they are checked under the President's loyalty program, with the Federal Bureau of Investigation.

Senator HICKENLOOPER. Is that check made before they become employees, or afterward?

Mr. NICHOLSON. That is made afterward.

Senator HICKENLOOPER. The point I am trying to reach is this: As to why it is not in the interest of efficiency and proper operation to have them checked first, before they actually acquire the rights of employees? There is a difference between an employee and an applicant, in my judgment.

Mr. NICHOLSON. I quite agree with you.

Senator HICKENLOOPER. And you can either disapprove or reject employment of an applicant, much easier than you can discharge a

person after he becomes an employee, because then the rights of appeal and degree of proof probably changes a little bit, and your latitude is cut down considerably, is it not?

Mr. NICHOLSON. I quite agree.

Senator HICKENLOOPER. And it just occurs to me that even though the cases may be comparatively few, that even the file check with the FBI, and others should be done before the applicant actually ripens into an employee with certain rights surrounding him.

Mr. NICHOLSON. Well, the reason for that is that there are certain administrative difficulties involved in it. The FBI may, in making a check, desire to have a fingerprint record. Now, it is very difficult to get a fingerprint record before the employee reports for duty, or a fingerprint chart as the applicants are scattered all over the United States; and it is quite difficult to get fingerprint charts.

Senator HICKENLOOPER. Now, do you do this, Mr. Nicholson—I realize that there may be some very pertinent reasons why it is impractical to have a full field investigation by the FBI of every applicant for a job, many applicants, there are no places for them, and it is not a question of their security risks, or their loyalty, you just do not need them—but is there any reason, or do you, I should say, ask for an FBI file check on applicants for jobs during the course of your consideration and before they become employees?

Mr. NICHOLSON. No, we do not.

Senator HICKENLOOPER. Would that not probably be helpful and might, in a few cases turn up things—

Mr. NICHOLSON. It may be, but it would require then a double check of the FBI, after we obtain the fingerprints, and under our investigations, we are quite sure of people when we enroll them as employees.

Senator HICKENLOOPER. Thank you.

Senator TYDINGS. Go ahead, Mr. Nicholson.

Mr. NICHOLSON. The chart on the screening of civil-service applicants, as Senator Hickenlooper pointed out, there may be in very rare cases an FBI check—

Senator TYDINGS. Let us clear that up a little. I think it will save time.

After a man is cleared through security screening and becomes an employee, you get his biographic sketch and his fingerprints and then you have an FBI record check.

Mr. NICHOLSON. That is correct.

Senator TYDINGS. If that record check, or any other information shows that this man should receive further screening, then the FBI makes a full field investigation; but there is a record check by the FBI in every case, regardless.

Mr. NICHOLSON. That is quite true.

Senator TYDINGS. Go ahead.

Mr. NICHOLSON. The other distinction then, on this, is that in the event a full FBI investigation is made, that investigation goes to the Civil Service Commission Regional Loyalty Board, rather than to the Department of State loyalty and security board, for a determination of the case; and, after their determination, of course, it is postaudited by the Seth Richardson board.

Senator TYDINGS. So that in the case where there is an FBI full field investigation, the Civil Service Commission Loyalty Board, that is, the Regional Board, goes over that and makes a finding?

Mr. NICHOLSON. That is correct.

Senator TYDINGS. But that finding is not permanent until the Central Board here in Washington also goes over the matter and approves or disapproves it?

Mr. NICHOLSON. That is quite true.

Senator TYDINGS. Go ahead.

Mr. NICHOLSON. Then, the next chart, exhibit 63, is entitled "Screening Non-Civil Service and Foreign Service Applicants."

On this, the distinction is made between civil service employees and/or applicants for civil service positions, and non-civil-service applicants. The procedure up to the black center line is exactly the same, where we do our own investigation and screening.

Senator TYDINGS. We are on chart 63 now, are we not?

Mr. NICHOLSON. That is right.

Senator TYDINGS. Mark that, so we do not get confused.

What you are saying now applies to chart 63.

Mr. NICHOLSON. That is right, non-civil-service.

Now, since these individuals are not civil service employees, not under the rules and regulations of the Civil Service Commission, in the event the FBI should conduct a full field investigation after they are on the rolls, that report goes to the State Department loyalty and security board for a determination, rather than to the Civil Service Regional Loyalty Board. That is our own responsibility, because these people are non-civil-service people, they are not under the rules and regulations of the Civil Service Commission.

However, after our board makes the determination as to—

Senator TYDINGS. Does that go up as high as Ambassadors and Ministers?

Mr. NICHOLSON. Yes, sir.

Senator TYDINGS. It would take all the Foreign Service people from Ambassadors down to—how low, clerks?

Mr. NICHOLSON. Down to the clerks.

Senator TYDINGS. In foreign embassies?

Mr. NICHOLSON. Yes, sir.

Senator TYDINGS. Go ahead.

Mr. NICHOLSON. After Mr. Peurifoy makes the final decision, if the decision is to separate the individual, the individual has the right of appeal to the Secretary, and to the Civil Service Loyalty Review Board because it is still a loyalty case, even though they are not under the civil service regulations then.

If the decision is to clear an individual, that decision is postaudited by the Civil Service Loyalty Review Board, or the Seth Richardson board.

Senator TYDINGS. So that in cases where that is called into question, and the individual is deemed unsafe as a risk, let us say, he has the right of a postaudit examination by the Seth Richardson appeals board?

Mr. NICHOLSON. That is right.

Senator TYDINGS. So, the procedure after it gets going, is pretty much the same?

Mr. NICHOLSON. That is right.

Senator TYDINGS. Go ahead.

Mr. NICHOLSON. There are other various technical distinctions on the different types of people.

Senator TYDINGS. Mark the next exhibit 64.

Senator HICKENLOOPER. Mr. Chairman?

Senator TYDINGS. Go ahead, Senator.

Senator HICKENLOOPER. The Department investigation preliminary to hiring a person, I think you said a moment ago, you believe is quite thorough and you are pretty well satisfied when people become an employee.

Mr. NICHOLSON. That is right.

Senator HICKENLOOPER. Then, may I ask you if the only reason for the FBI getting into this at any time later, is because of the legal requirements? In other words, if it were not for the legal requirement, would you consider your own investigative method sufficient?

Mr. NICHOLSON. If it was not for the President's loyalty order?

Senator HICKENLOOPER. Yes.

Mr. NICHOLSON. Yes; I think we would.

Senator HICKENLOOPER. You would not have the FBI investigate them at all, you would use your own investigative agency?

Mr. NICHOLSON. That is quite true.

However, we would in any event check with the FBI at some time, either before or after employment to be sure we had their information.

Senator HICKENLOOPER. Again, the only point I am getting to is—it would seem to me that before these people acquire the rights of employees, and there are very definite rights that employees get when they become employees, it would seem to me it would be wise to have at least a file check of the FBI on them before they finally are hired, rather than to wait until they are hired and then have the file check. That appeals to me at the moment, at least.

Mr. NICHOLSON. If it was not for administrative difficulties, it would be worth while; although, as I say, the instances where we do not know about something and the FBI does, are very, very few.

Senator HICKENLOOPER. It would seem to me the administrative difficulties would be no greater prior to the employment of the individual, than afterward.

Mr. NICHOLSON. Oh, yes, because the individuals, prior to employment, prior to reporting for duty, are scattered all over the United States; but, when they report for duty, they come, practically all, to Washington where we can get their fingerprints and perform all the administrative functions.

Senator TYDINGS. One question more. How many of these non-civil-service and Foreign Service applicants have to be confirmed by the Senate?

Mr. NICHOLSON. I am sorry, Senator, I cannot answer that.

Senator TYDINGS. There would be Ambassadors, Ministers, consular agents, consuls, and all the, you might call it, higher echelons of management and so on in the foreign field, that have to come to the Senate, would they not, as a broad proposition?

Mr. NICHOLSON. That is right.

Senator TYDINGS. So, in addition to what everybody may do in this particular field, at least in the higher echelons they would also have to go before a Senate committee who could ask any questions they desired.

Mr. NICHOLSON. That is quite true.

Senator TYDINGS. Thank you. Proceed, Mr. Nicholson.

Mr. NICHOLSON. We will move on to the next chart, which we will identify as exhibit 64, which is a chart showing the technique for eliminating security risks.

We have, as I have pointed out, this constant checking of our employees. We obtain information by telephone, from letters, from persons within the Department, from persons outside of the Department, and on the basis of that information conduct investigations by our own investigative staff. That information goes to the Evaluation Branch, where it is evaluated. It may be cleared there. If it indicates that it is malicious gossip, that sort of complaint, we close it and drop it there. If it looks like there may be something to it, it is submitted to our State Department loyalty and security board for their determination.

Senator TYDINGS. What chart are you on now?

Mr. NICHOLSON. This is 64, "Eliminating Security Risks."

Senator TYDINGS. Go ahead.

Mr. NICHOLSON. I might point out also that in this process, if we at any time obtain information tending to indicate that there may be information which would come under the President's loyalty program, we would discontinue in the Department our investigation, and turn the information we have over to the FBI to conduct the loyalty investigation under the President's loyalty program.

Then, any separation under this, of course, since it is not internal, within-the-Department operation, the separation is subject to appeal only to the Secretary of State, and there is no outside appeal such as we have in the loyalty cases.

The next chart, which we will mark as exhibit 65, is a chart entitled "Composition of Loyalty and Security Board."

Gen. Conrad Snow, who is here with us today, will go into more detail on this subject.

I would like to point out just a few of the high lights on it.

At the consideration of a case, there is selected from the panel, three members. They are designated, with Conrad Snow in the middle, in the background of the picture; there is the executive secretary of the board, or legal officer of the board; the court reporter; the employee, who may be represented by counsel; and one witness in the room at a time who may testify either for or against the witness or the employee; and Conrad Snow, I am sure, will discuss in more detail the operations.

Senator TYDINGS. Are the examinations held under oath when the employee testifies, or does he testify without being sworn?

Mr. NICHOLSON. Could I check on that?

General SNOW. Under oath.

Senator TYDINGS. Under oath?

Mr. NICHOLSON. Under oath.

Senator TYDINGS. All right, go ahead.

Mr. NICHOLSON. We will move then, to the next exhibit, which will be marked "66."

Senator TYDINGS. Exhibit 66.

Mr. NICHOLSON. This is another composite chart showing all the action within the Department under the loyalty and security program.

You will notice on the left the "reports from Security Division," which may be our own reports, or they may be FBI reports, and which

go into the loyalty and security board, which is represented by three individuals. The clearance then is a recommended action to Mr. Peurifoy. If it is a loyalty case, the post audit follows by the Seth Richardson Board and the individual employee moves into the cleared category.

Now, the board has, if they prefer charges against the individual, the individual has a right to reply in writing or request a hearing, which we depict here, with the employee indicated as such, being represented by counsel, and calling their own witnesses, testifying in their own behalf and introducing exhibits, and having the right to obtain and correct a copy of the transcript.

The recommendation from the board then goes to Mr. Peurifoy. If it is a recommendation to clear, it is postaudited by the Loyalty Review Board, by the Civil Service Commission; if it is a security recommendation for termination or separation, the employee has a right to appeal to the Secretary; if it is a termination under the law of the program, the employee has the right, subject to appeal to the Secretary, if the decision to separate is upheld, the employee has a right to appear and be heard by the Civil Service Loyalty Review Board, or the Seth Richardson board.

Senator TYDINGS. Thank you, Mr. Nicholson; and while we may have some questions, I do not want to cut anybody off, I will say that we are going to hear next from the Loyalty Board itself, so any questions we might ask Mr. Nicholson ought to be predicated on the fact that we will soon hear the Loyalty Board.

Senator McMAHON. I do have a couple of questions, if I may ask them now, Senator Tydings.

Senator TYDINGS. All right.

Senator McMAHON. You would be what is termed "Chief Investigator"?

Mr. NICHOLSON. Yes, sir.

Senator McMAHON. Have you done your duty?

Mr. NICHOLSON. Yes, sir; I feel that I have.

Senator McMAHON. Are there 205 card-carrying Communists in the State Department?

Mr. NICHOLSON. There are not.

Senator McMAHON. Are there any card-carrying Communists in the State Department, as far as you know?

Mr. NICHOLSON. As far as we know, there is no card-carrying Communist in the State Department. If there were, they would be terminated by noon.

Senator McMAHON. Thank you.

Senator TYDINGS. Take your seat again, please, Mr. Nicholson.

Senator HICKENLOOPER. Mr. Nicholson, since this investigative procedure started, I believe, in 1947—

Mr. NICHOLSON. That is right; yes, sir. We had a small investigative staff prior to that, Senator Hickenlooper, but the program, as a composite unit, started in 1947.

Senator HICKENLOOPER. You investigate or pass on the questions of loyalty or security risks of persons that we send as our representatives to the United Nations; or do you?

Mr. NICHOLSON. To the United Nations?

Senator HICKENLOOPER. Yes.

Mr. NICHOLSON. I am not sure I quite understand your question. You mean, to the international organization?

Senator HICKENLOOPER. Either to the international organization, or that represents the United States in international organizations of the United Nations.

Mr. NICHOLSON. Those persons who represent the United States, we do check; those persons who are employed by the international organization, we do not.

Senator HICKENLOOPER. That is, those American citizens who are employed by the United Nations, itself, you do not check?

Mr. NICHOLSON. That is right.

Senator HICKENLOOPER. Do you know whether they are checked by any agency of our Government?

Mr. NICHOLSON. No, sir; I am sorry; I do not know that answer, Senator.

Senator HICKENLOOPER. Now, when you check individuals who represent the United States in organizations attached to the United Nations, what kind of a check do you give there?

Mr. NICHOLSON. Well, generally, since they are not becoming employees, we do not conduct as complete an investigation as we do for an employee. We round up, in those cases, all of the information within the files of the Government, and make inquiries if need be, as an investigative technique.

Senator HICKENLOOPER. You have had considerable experience, Mr. Nicholson, in investigative procedures, I think; and I would like to ask if it appeared in the file of an individual that this individual had at various times belonged to 15 or 25 organizations that had been at least later, or at some time during their activity, declared to be a Communist-front or subversive organization by an official body such as the House Un-American Activities Committee, or the California investigative committee, or the New York investigation, or investigations of that kind—would that raise any question in your mind indicating that they should be looked into a little bit for an explanation?

Mr. NICHOLSON. I think what we would certainly have to look at is the nature of the association with the organizations, the date of the association, the participation in the activities of the association, and the complexion really of the association at the time.

Senator HICKENLOOPER. How would you make such an investigation, roughly? What would be your general procedure?

Mr. NICHOLSON. By and large, it would be a research situation, to determine the history of the organization, the internal struggles within the organization—it is quite common that a lot of the organizations were started as good organizations, and became infiltrated, some of them.

Senator HICKENLOOPER. Isn't that the characteristic of the usual Communist-front organization?

Mr. NICHOLSON. That is right.

Senator HICKENLOOPER. They started with the name of a great many people, who were perfectly loyal, and became captured by the Communists?

Mr. NICHOLSON. That is right, and, of course, there are those organizations where there were attempts to infiltrate, and which have had serious internal struggles.

Senator HICKENLOOPER. In your investigation, under such circumstances where an individual was reputed to be a member, or there was evidence that this individual had been a member of a very substantial number of these organizations from time to time, would you consider it a part of good investigative procedure to talk to the individual involved about it, to get that individual's reactions?

Mr. NICHOLSON. Not necessarily. I think it would be a matter of going back and getting the background of the association with the organizations, the tenor of the organization at the time of the association, and the participation of the individual in the association at the time.

Senator HICKENLOOPER. Would there be any better source of getting an understanding of that, than to talk to the individual himself, about it, and get his views and explanation as to why he permitted himself to be associated with these groups?

Mr. NICHOLSON. Well, if the groups—or, if the association was before an infiltration or before the group was taken over, the association really would not mean a great deal.

Senator HICKENLOOPER. Well, how could you—I think that that is a perfectly sound statement, but how could you tell the individual was not still associated with the organization, after it had been taken over—better than ask the individual himself?

Mr. NICHOLSON. Well, by and large, I think the investigation would disclose present activities, or activities over the past years of the individual.

Senator HICKENLOOPER. Then, I take it you feel it would not be important to at least call the individual in and say, "What is the situation with regard to these memberships?"

Mr. NICHOLSON. I think it would depend entirely, Senator, on—as I have attempted to point out—the time factor in it, the nature of the organization, and the time of the membership, or the sponsoring of the organization; and, it is hard, really, to generalize on any particular situation of circumstances, or any particular set of circumstances. I think you have to consider each individual case on its individual merits.

Senator HICKENLOOPER. It would seem to me to be utterly routine and essential that if some question is cast about an individual because of repeated memberships in a subversive or allegedly subversive organization or organizations, that you would call the individual in, or go to see the individual and say, "What about this? Here is what this shows. What do you have to say about it?"

Mr. NICHOLSON. Well, I hate to be repetitive, but I think we still go back to—when did it happen, what was the nature of it at the time, what has been the individual's activity since that time, and—if someone was, for instance, a member of the Washington Book Shop many years ago, and was a member in order to buy books and records at a discount, and discontinued any activity, I don't think it will be necessary, if we knew those facts, to talk with the individual to determine why he was a member of the Washington Book Shop, or to determine whether he has or has not been active in it or a member of it since 1940, or something, because our investigation shows that—

Senator HICKENLOOPER. That, of course, grants that your investigation gives you conclusive proof that those facts exist, but I am not

going to continue this any longer, because we would get the same answers and I will make the same statements, but it would seem to me that it would be one of the first things that any investigator would do, if circumstances of that kind came up, for a person under consideration—to lay the facts down very frankly before the individual and say, "You know best whether you have been involved in that, or whether you have been active. What are the circumstances?"

Mr. NICHOLSON. Well, I think it depends on how much you know about it, what is the nature, the timing, and a lot of elements really that go into that, Senator.

Senator HICKENLOOPER. The purpose of my question is to find out how much investigative work you do in original sources to actually find out, whether you rely on collateral information or whether you go directly to the person involved, which would seem to me to be the direct and best way.

Mr. NICHOLSON. We do both, depending on the circumstances of the case.

Senator HICKENLOOPER. Now, since 1947, when this program was set up, how many people have been separated from the State Department on the basis of disloyalty, we will say?

Mr. NICHOLSON. I do not have any statistics with me on that, on the loyalty statistics. I am sure that General Snow has them.

I can say this, and this is entirely from memory and I think this figure has been given to Congress before—that since January 1, 1947, we have separated 202 individuals from the Department of State on whom there was some question of security or loyalty. That does not mean that we knew they were disloyal, or knew they were security risks. They may have left before it was resolved, they may have been under investigation at the time they resigned, but there were 202, if I remember, relying on memory, and I think that is pretty accurate—there were 202 who left the Department where there was some question of their security at the time they left.

Senator HICKENLOOPER. How long have you headed the Security Department that you now head?

Mr. NICHOLSON. Since June 1948.

Senator HICKENLOOPER. During that time, had you, in your capacity as Director, or head of the Department, made findings recommending that various individuals are bad security risks, and that they should be separated?

Mr. NICHOLSON. Well; no, sir. We don't make—

Senator HICKENLOOPER. I will withdraw that. I should not have said that. I don't know what your authority is but have you made recommendations that in your judgment and in that of your Department individuals are bad security risks?

Mr. NICHOLSON. Recommendations, as such, we do not make in that nature; because our procedure is such that where there is information concerning an individual who is an employee, that information is submitted to the Loyalty and Security Board, and they make their recommendation to Mr. Peurifoy.

Senator HICKENLOOPER. So that your Department makes no recommendations at all in that connection?

Mr. NICHOLSON. Well, that is quite true, with this exception: That on applicants we do. On applicants we make our own decision entirely.

On employees, they are submitted to the Loyalty and Security Board for their recommendation, to Mr. Peurifoy.

Senator HICKENLOOPER. Well, do you make any recommendations that a person should be cleared?

Mr. NICHOLSON. Yes, sir.

Senator HICKENLOOPER. You do not make recommendations that a person should not be cleared; is that correct?

Mr. NICHOLSON. That is right.

Now, wait—on employees, if we conduct a security investigation, we either clear that individual on the basis of that investigation as being unfounded, or if we feel that there may be something to it, and the employee possibly should be heard on it, we then send it to the Loyalty and Security Board for their handling.

Now, on loyalty cases entirely, those go to the Loyalty and Security Board, and those are FBI investigations that go to the Loyalty and Security Board, so really it goes in channels to the Loyalty and Security Board.

Senator HICKENLOOPER. When the information on an individual has come to its final conclusion in your Department, you either clear the individual or recommend clearance, or you transfer the file with that recommendation to the—

Mr. NICHOLSON. Loyalty and Security Board.

Senator HICKENLOOPER. Loyalty and Security Board?

Mr. NICHOLSON. Yes, sir.

Senator HICKENLOOPER. Now, then, in transferring that file without recommendation for clearance to the Loyalty and Security Board, do you say in effect—there may be reason why this person might be a security risk, therefore we are passing it on to you?

Mr. NICHOLSON. No; we say that there are certain unresolved questions in this that we feel you, as the Loyalty and Security Board, as a judicious, well-founded, and competent body should look at and make your recommendation to Mr. Peurifoy.

Senator HICKENLOOPER. How many individuals, if you recall, have, let us say, civil-service applicants, who had been actually enrolled as employees after your investigation, have been later discharged either, on the basis of bad security risk, after such enrollment as employees—within your experience?

Mr. NICHOLSON. You mean under this program, Senator?

Senator HICKENLOOPER. Yes. In other words, after you have investigated them and put them on as employees, then they go through the Loyalty investigation program, and how many have been separated after that point?

Mr. NICHOLSON. To my knowledge, there have been none. I am sure there have not.

Senator HICKENLOOPER. Who, in the Department, in connection with the investigation of these employees, who does make recommendations, or are any made? Does the Loyalty and Security Board make recommendations?

Mr. NICHOLSON. Oh, yes.

Senator HICKENLOOPER. And those recommendations go to—

Mr. NICHOLSON. To Mr. Peurifoy.

Senator HICKENLOOPER. Go to Mr. Peurifoy?

Mr. NICHOLSON. Yes, sir.

Senator HICKENLOOPER. And then, after Mr. Peurifoy's decision,

if it is adverse to the employee, that employee can appeal to the Secretary; is that correct?

Mr. NICHOLSON. That is correct, and if it is under the President's loyalty program, in other words, if it is a disloyal decision, he has a right to appeal also to the Seth Richardson Board.

Senator HICKENLOOPER. As a matter of fact, in your specific Department you have no authority to deny clearance to an individual?

Mr. NICHOLSON. Or to an applicant?

Senator HICKENLOOPER. I mean, not deny clearance, because if you don't grant it, you would be in effect denying it temporarily, but you can grant clearance; is that right?

Mr. NICHOLSON. That is correct.

Senator HICKENLOOPER. Your Department has authority to grant the clearance if the individual is found worthy of it?

Mr. NICHOLSON. That is right.

Senator HICKENLOOPER. Now, if something is developed in the information that you have at hand which prevents you in your judgment from giving clearance, then I understand that you do not make any recommendation that clearance be denied, you merely pass the file on; is that right?

Mr. NICHOLSON. That is correct.

Senator HICKENLOOPER. For the evaluation of the Loyalty and Security Clearance Board?

Mr. NICHOLSON. That is right.

Senator HICKENLOOPER. I think that is all for the moment, Senator.

Senator TYDINGS. Senator Lodge?

Senator LODGE. When was the last time that someone was separated from the service as a result of your procedures?

Mr. NICHOLSON. Speaking, I take it, Senator Lodge, of an employee?

Senator LODGE. Who else would there be?

Mr. NICHOLSON. I prefer to let General Snow answer that. I am not sure of the date on it.

Senator LODGE. Roughly, was it a month ago, 2 months ago, 3 months ago?

Mr. NICHOLSON. I think in about December 1949.

General SNOW. I don't have the date of separation from the service, if that is the question.

Senator LODGE. I was wondering what was the last time someone was separated. I think you can probably get that.

Mr. NICHOLSON. I don't have the dates.

Senator LODGE. You can get that, can you not?

Mr. NICHOLSON. Oh, yes.

Senator LODGE. How many people have been processed altogether by your procedure?

Mr. NICHOLSON. The employees?

Senator LODGE. Who else is there?

Mr. NICHOLSON. There are the applicants.

There is a procedure in regard to the applicants, too, Senator.

Senator LODGE. Prospective employees?

Mr. NICHOLSON. Well, there have been, all told, roughly, about 17,000 employees processed. We investigate around 5,000 applicants a year, so that would be 3 years, well, 2 years actually, so it would, in the whole program, be roughly 27,000 persons.

Senator Lodge. Now, you say that 202 people who were employees have been separated?

Mr. NICHOLSON. Well, they left the Department, Senator.

Senator Lodge. They are not there any more?

Mr. NICHOLSON. That is correct.

Senator Lodge. Of the five-thousand-odd applicants that you have a year, how many of them get in?

Mr. NICHOLSON. Well, that is a rather hard question, because they are not all disapproved for security reasons. Some are disapproved for character and suitability reasons by the personnel people; some of them take other jobs, but it runs that we appoint roughly one-half of the persons we investigate.

Senator Lodge. You appoint about half of them?

Mr. NICHOLSON. That is right.

That does not mean that the other half are bad people, because some may have gotten jobs some place else, or a number of things could enter into the picture.

Senator Lodge. I think it will be very useful to have a box score, an accurate box score furnished for the record, of what has been done. It has been going on about 3 years, with this procedure.

Mr. NICHOLSON. Yes.

Senator Lodge. I would like to know what you have accomplished, how many you have processed, how many you have let in, how many you have kept out, how many have been separated, and for what reasons. I would like to have that.

Now, the State Department has contact with people, on a brief basis, people coming in to lecture, coming in as per diem consultants or Advisory Board members. How do you process those people?

Mr. NICHOLSON. Generally, we do not, because they come in, and they are not employees. They come to lecture, and they do not handle our documents, do not handle classified information—

Senator Lodge. There is no reason for it?

Mr. NICHOLSON. There is no reason for it.

If they are coming in to work, or to have access to documents—yes; we check them.

Senator Lodge. If they are going to have access to papers?

Mr. NICHOLSON. Access to classified documents, or coming into work, then we do.

Senator Lodge. And the procedures are sufficiently rigid so that someone coming in as a consultant or a lecturer could not informally get access to documents?

Mr. NICHOLSON. No.

Senator Lodge. Unless he had been cleared?

Mr. NICHOLSON. That is right, and that is through the physical control of documents as distinguished from the person himself.

Senator Lodge. That is formal?

Mr. NICHOLSON. Oh, yes! indeed.

Senator Lodge. Thank you.

Senator TYNDERS. Thank you, Mr. Nicholson.

I will ask General Snow now if he will take the stand.

Before you do, General, will you raise your right hand, please?

Do you solemnly swear that the evidence you shall give in this matter pending before the committee shall be the truth, the whole truth and nothing but the truth, so help you God?

General SNOW. I do.

STATEMENT OF GEN. CONRAD E. SNOW, CHAIRMAN, LOYALTY AND SECURITY BOARD, DEPARTMENT OF STATE

Senator TYDINGS. State your name, age, and place of residence.

General SNOW. Conrad E. Snow, 60, and my place of residence is Arlington, Va.

Senator TYDINGS. Where are you from, General?

General SNOW. Rochester, N. H.

Senator TYDINGS. How do you happen to be called "General?"

General SNOW. Because I was made so during the last war.

Senator TYDINGS. You served in the last war and earned that rank.

General SNOW. Yes, sir.

Senator TYDINGS. How long have you been connected with the State Department?

General SNOW. Since August of 1946.

Senator TYDINGS. What was your first job?

General SNOW. In the State Department?

Senator TYDINGS. Yes.

General SNOW. I have been continuously legal assistant to the Legal Adviser, or Legal Service Office of the State Department.

Senator TYDINGS. How long did you stay there, and what job did you go to?

General SNOW. I have been in that position ever since 1946.

Senator TYDINGS. The work you are about to describe is sort of extracurricular to the work you originally undertook when you originally came in the State Department?

General SNOW. Entirely extracurricular.

Senator TYDINGS. When did you start in your position as the Chairman of the State Department Loyalty Board?

General SNOW. In 1947.

Senator TYDINGS. At the instigation of the program?

General SNOW. Yes.

Senator TYDINGS. You have been with it ever since?

General SNOW. Yes, sir; continuously.

Senator TYDINGS. You have with you this morning the whole Board.

Before you testify, some of these gentlemen might want to return to their work, but I wanted the members of the committee to see the Board, and I wonder if you would introduce each and have them stand up as you introduce them, and they can take their seats again—before you start to testify.

General SNOW. It will be a pleasure.

Mr. Theodore Achilles, Mr. Willard F. Barber, John O. Bell, George Hayden Raynor, Mr. David A. Robertson, Mr. John W. Sipes, Mr. William P. Snow; and Mr. Arthur G. Stevens, Mr. Chairman, is in Europe.

I have one more introduction I would like to make. I would like to introduce Mr. Allen B. Moreland, the Legal Officer of the Board.

(Those named arose briefly, and were reseated in the hearing room.)

Senator TYDINGS. Now, all these gentlemen are employees of the State Department, are they not?

General SNOW. They are, sir.

Senator TYDINGS. And they, like yourself, have other duties besides this duty they are engaged on today?

General SNOW. That is right, sir.

Senator TYDINGS. And they have been designated from their respective positions to assemble at your call to proceed with whatever matter is before the Loyalty Board?

General SNOW. Right, sir.

Senator TYDINGS. How long have these employees been in the State Department—for a long while, as a general rule?

General SNOW. Yes, sir.

I have with me some biographical notes which I would like to make a part of this record here today.

Senator TYDINGS. For all of them?

General SNOW. For all of them.

Senator TYDINGS. That will be inserted in the record as exhibit 67, and that will save a lot of questioning, because it will be there.

General, I think you have qualified yourself pretty well.

Now, go ahead with any statement you care to make.

General SNOW. Thank you, sir.

Senator TYDINGS. And I will ask Mr. Nicholson, if he has not yet left, to remain in case we need him for some additional questioning.

Mr. NICHOLSON. I will be glad to, sir.

Senator TYDINGS. All right, proceed, General.

General SNOW. Mr. Chairman, the Loyalty Security Board of the Department of State of which I am chairman is the organ of the Department to which are referred all reports from the FBI of full field investigations of Department employees, for determination as to loyalty and security risk. Its decisions are post-audited by the Loyalty Review Board of the Civil Service Commission, of which Mr. Seth W. Richardson is chairman, and to that Review Board go appeals from adverse decisions of the Loyalty Security Board. Both Boards are part of the President's loyalty program, initiated on March 21, 1947, by Executive Order 9835.

The purpose of Executive Order 9835, was stated to be: To assure (a) that persons employed in the Federal service are of complete and unswerving loyalty to the United States; (b) that the United States afford maximum protection against infiltration of disloyal persons into the ranks of its employees; and, at the same time, (c) that there be given equal protection to the loyal employees of the United States from unfounded accusations of disloyalty.

The Executive order itself stated the standard for the removal from employment of an employee on grounds relating to loyalty, which must be applied by both Boards. It is—

that, on all the evidence, reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States.

The Executive order sets forth various activities and associations, which, if present, may be considered in connection with the determination of disloyalty. They are:

- (a) Sabotage or espionage—or knowingly associating with spies or saboteurs;
- (b) Treason or sedition—or advocacy thereof;
- (c) Advocacy of revolution, or of force or violence to alter the constitutional form of government of the United States;
- (d) Intentional unauthorized disclosure of documents or information of a confidential or nonpublic character obtained as a result of employment by the Government of the United States;
- (e) Performance of duties, or otherwise acting so as to serve the interests of another government in preference to the interests of the United States;
- (f) Membership in, affiliation with, or sympathetic association with any organization or group of persons, which has been designated by the Attorney General as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving violence, either to deny to other persons their rights under the Constitution, or to seek to alter the form of government of the United States.

Some of these activities, were we to find them would by their very definition necessarily involve disloyalty to the United States—as to wit espionage, treason, sedition, revolution. Some of the associations, on the other hand, are only evidence on the issue of disloyalty. The President, for instance, in a statement to the press of November 14, 1947, said with reference to the Attorney General's list: "Membership in an organization is simply one piece of evidence which may or may not be helpful in arriving at a conclusion as to the action which is to be taken in a particular case." This was reaffirmed by the Attorney General, who added that: "Guilt by association has never been one of the principles of American jurisprudence."

What the President said, however, and what the Attorney General said, is not applicable to membership in the Communist Party. Under section 9A of the Hatch Act, of August 21, 1939, it is unlawful for any Federal employee to have membership in any organization advocating the overthrow of the constitutional form of Government of the United States. On February 5, 1943, under Executive Order 9800, 4 years before Executive Order 9835, the Department of Justice disseminated among Government agencies a list of organizations which were subversive under the terms of the Hatch Act. This list included the Communist Party of the U. S. A. This was reaffirmed by the Attorney General on May 27, 1948. Accordingly, were the Loyalty Security Board to find in the Department of State a member of the Communist Party, his membership would be not merely evidence of disloyalty; the dismissal of that employee would be mandatory.

Acting under Executive Order 9835, after appropriate investigation, the Attorney General, on November 24, 1947, transmitted to the Loyalty Review Board a list of organizations which was disseminated to the Department on December 4, 1947. An additional list was disseminated on May 28, 1948; and on September 21, 1948, the Attorney General furnished a consolidated list which contained the names of all the organizations previously designated, and segregated into categories as totalitarian, Fascist, Communist, subversive, advocating force or violence to deny others their constitutional rights, or seeking to alter the form of Government of the United States by unconstitutional means. Those lists include all the so-called front organizations,

generally designed to trap the unwary liberal-minded individual, and not all by any means either infiltrated or controlled by Communists from the outset of their existence. I mention this particularly because in considering membership in, affiliation with, or sympathetic association with such organizations the boards have to take judicial notice of the fact that the characterization of these organizations by the Attorney General was first publicized to the employees of the Department, in some cases on November 24, 1947, in other cases on May 28, 1948. Membership or other association with these organizations in the late thirties and early forties has therefore to be considered with some circumspection as evidence of disloyalty or of security risk.

The problem of the State Department in implementing the President's loyalty program was facilitated by the fact that the Secretary of State has been granted by Congress, in the so-called McCarran rider of the Seventy-ninth Congress, and repeatedly in subsequent appropriation acts, the power in his absolute discretion to terminate employment whenever he shall deem such determination necessary or advisable in the interest of the United States. This power of summary dismissal is the basis of the right of the Secretary to dismiss on account of security risk, without having to resort to a determination, that on all the evidence reasonable grounds exist for belief that the employee is disloyal.

Acting in accordance with this power of summary dismissal, and 5 months before the organization of the Loyalty Review Board, the Secretary of State, General Marshall, on July 9, 1947, appointed a Personnel Security Board, of which I was appointed Chairman, and Maynard Barnes and Darrell St. Claire members. Both of those latter gentlemen have since left the Department, but only after a considerable service on the Board. The Secretary also designated four categories of employees as security risks, to wit:

(a) A person engnging in, supporting, or advocating treason, subversion, or sedition, or who is a member of, affiliated with, or in sympathetic association with the Communist, Nazi, or Fascist Party, or of any party which seeks to alter the form of government of the United States by unconstitutional means, or a person who consistently believes in or supports the ideologies and policies of such a party.

(b) A person who is engaged in espionage, or who is acting directly or indirectly under the instructions of a foreign government, or who deliberately performs his duties or otherwise acts to serve the interest of another government in preference to the interests of the United States.

(c) A person who has knowingly divulged classified information without authority and with the knowledge or belief that it will be transmitted to agents of a foreign government, or who is so consistently irresponsible in the handling of classified information as to compel the conclusion of extreme lack of care or judgment.

And finally, (d). A person who has habitual or close association with persons known or believed to be in categories (a) or (b) to an extent which would justify the conclusions that he might, through such association, divulge such classified information without authority.

Under these security principles of the Department of State, adopted in 1947, it will be seen that the Personnel Security Board had to apply a standard much stricter than that prescribed for the loyalty program.

Not only Communists were proscribed as security risks, or persons affiliated with, or in sympathetic association with the Communist Party, or who consistently believed in or supported the ideologies and policies of the Communist Party, but even persons who had habitual or close association with such persons, so as to justify the conclusion that they might voluntarily or involuntarily divulge classified information without authority.

The President's loyalty program was put into effect on December 17, 1947, by the issuance by the Loyalty Review Board, under Seth W. Richardson as Chairman, of five directives, one requiring the establishment of departmental loyalty boards, and four regulating the initial hearings, and the determinations by the boards and the matter of appeals from their decisions. The State Department promptly followed suit, by adopting the loyalty standards of Executive Order 9835 and transforming the Personnel Security Board, of which I have spoken, with the same membership, into the Loyalty Security Board, with the functions of applying both the loyalty standards of the Executive order and the security principles of the Department of State. Those are the standards that have applied ever since and apply today.

The Loyalty Security Board is not an investigatory body.

It performs a judicial function, and the basis for action on its part is always a report from the FBI. The FBI, in its name check of all the employees of the State Department, has found itself in possession of certain derogatory information regarding an employee, and has consequently conducted a full field investigation and submitted its report to the Department. The report is exceedingly complete in most cases. It covers the life history of the employee, from his college days and, in some cases high-school days to the present. Everyone who remembers the employee, and many who don't has been contacted—neighbors, teachers, friends, enemies, and associates. Everything they say is put down, whether it bears on loyalty or security. Most of the information is imparted to the FBI agent in confidence, and the greater part of the witnesses refuse to sign statements or to appear before a loyalty board. Many of the witnesses are anonymous to the board, and are designated in the report simply by letters and numbers, with some suggestion either that their reliability is unknown, or that they have hitherto been found to be reliable. The good is reported as fully as the bad. The report, of course, particularly in the field of association with other persons, contains derogatory information regarding these other persons, with supporting testimony. The reports are completely objective; they make no attempt to evaluate the information, derogatory or otherwise, and draw no conclusions on the evidence.

Those FBI reports are submitted to the Loyalty Security Board in triplicate, and are at once passed to a panel of three out of the nine members of the Board selected by the legal officers of the Board on the basis of availability. Each member of the panel reads the report by himself, and makes up his own mind as to the action indicated. Then a meeting of the panel is held, and, under the Regulations of the Loyalty Review Board, the Board may come to any one of four conclusions:

(a) It may conclude that in some respect the FBI report is incomplete, and refer the report back to the FBI for further investigation;

(b) It may direct a written interrogatory to the employee, but may not question him otherwise, under the regulations;

(c) It may make a finding clearly favorable to the employee. Because of the full nature of the FBI reports this is possible in a large proportion of the cases;

(d) It may propose removal action, which is done by a notice to the employee in writing stating the charges in factual detail. The employee, either in writing or orally, is informed of the names of all the organizations with which he is accused of having been connected, and of all persons with whom he is charged with associating.

In case the panel decides to make charges of disloyalty or of security risk, the employee is entitled to reply in writing or to have an administrative hearing, at which he may appear personally, be represented by counsel of his own choosing, and present evidence. If a hearing is required, no one is present beside the Board, its legal officer, the stenographer, the employee, his counsel, and the witness who is testifying. A complete transcript is made of the hearing and is added to the file in the case. The Board is required and makes every effort to conduct the hearing with fairness, impartiality, and cooperativeness. It is an administrative hearing, not a prosecution.

After the hearing, the panel meets in executive session to decide the case. The regulations require that in its determination it shall state merely the action taken—it does not make detailed findings—which action may be either (a) to clear the employee, (b) that on all the evidence, reasonable grounds exist for belief that the person is disloyal, or (c) to recommend dismissal as a security risk. If the decision is adverse, the employee has an appeal to the Secretary of State or to a person designated by him. The Board has never been reversed on appeal. Every decision of the Board goes to Mr. Pourifoy, Deputy Under Secretary for Administration, for further action. The Administrative Office has never failed to execute an adverse decision of the Board.

Senator Tyning. That is a pretty good record you have made there, General.

Senator Longer. How many of those decisions were there?

General Snow. May I give the statistics later? I have them for you.

Senator Longer. All right.

General Snow. Every loyalty determination by a panel of the Board goes from the administrative office to the Loyalty Review Board of the Civil Service Commission for post audit. The Review Board permits itself any one of four actions:

(a) It may affirm the determination of the Loyalty Security Board.

(b) In case the Loyalty Security Board has decided the case without preferring charges it may remand the case for charges and a hearing.

(c) In case the Loyalty Security Board has decided the case without interrogation, it may remand the case for an interrogatory.

(d) It may hold a hearing itself and either affirm or reverse the decision of the Loyalty Security Board.

Since 1947, as of March 1, 1950, the Loyalty Security Board of the State Department has determined 246 loyalty cases; 109 of the cases

have been postaudited by the Loyalty Review Board. Out of the 199 cases postaudited, three cases have been remanded for an interrogatory, one case has been remanded for a hearing, and no cases have been reversed. The Board has held 30 loyalty hearings. Of the 246 loyalty cases it has found 2 employees to be security risks; and 5 have resigned with charges pending. Does that answer your question?

I have served continuously as Chairman of the Board, and have participated as a member of the panel in 85 percent of the cases. I have sat on most of the hearings. I have tried to give every case my most careful and judicial consideration; I am sure that the other members of the Board have done likewise. If there are any Communists in the State Department, the Loyalty Security Board is uninformed of their existence.

It would not be appropriate for me to discuss the individual cases mentioned by Senator McCarthy, in view of the fact that the President has committed the entire list to the Loyalty Review Board for a rereview. Any discussion by me or by my Board of individual cases would presume, I think, on this function of the Loyalty Review Board.

Senator TYDINGS. General Snow, I apologize for asking you this question, but due to the interest that the people of the United States have in this whole proceeding, perhaps, would you mind telling the committee what is your normal or present political affiliation?

General SNOW. I am a Republican, sir, and have been for life.

Senator HICKENLOOPER. I again suggest, Mr. Chairman, that every time a Republican is shown to be in Government it is a credit to Government.

Senator TYDINGS. I say it is a great credit to the Government's broad vision that in work of this kind a Republican of General Snow's eminence and transparent judicial and reflective ability has been put in charge of a delicate operation like this, and I want to compliment whoever appointed him for selecting a man of his eminence and great qualifications.

General SNOW. This is the end of my statement.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. General Snow, you have given statistics in the last paragraph of your statement which I was somewhat interested in and wanted to ask you about. But does your Board confine itself only to the questions of loyalty involved in an employee, or do you go further and consider the question of security risks based on other categories than pure loyalty?

General SNOW. We cover both loyalty and security risks. Obviously any disloyal person would be a security risk without more, but we also cover the question of security risk by itself without disloyalty.

Senator HICKENLOOPER. Yes. For instance, a person addicted to habitual drunkenness and bad associations, of a sufficient degree, if you considered that a security risk, that would be under your jurisdiction?

General SNOW. Technically that would come within our jurisdiction and we do give the matter consideration.

Senator HICKENLOOPER. I merely use that as an illustration. There are other categories of risk perhaps that do not involve intentional disloyalty.

General Snow. That is true, and also may I be permitted to say that there are easier ways of getting rid of a person who is unsuitable for employment than bothering to find he is a security risk; therefore on rare occasions if we detect in the files indications that the employee is unsuitable for employment, we call the attention of the administrative office to that fact and he is taken care of without having to bother with a determination as to security risk.

Senator HICKENLOOPER. Under the McCarran rider and other provisions of law you can separate an individual or discharge him for no reason at all.

General Snow. That's right.

Senator HICKENLOOPER. In your loyalty hearings, the person against whom charges may be made is called in, as you have described here, but isn't it a fact that in many cases people who allegedly give derogatory information about an individual are not available for testimony before your Board?

General Snow. As a general rule they are not available for testimony.

Senator HICKENLOOPER. So that in your inquiries or formal inquiries very often you are unable to determine whether or not these people who give derogatory information are telling the truth or not.

General Snow. We have to do the best we can with the files before us.

Senator HICKENLOOPER. So that in the face of derogatory information let us assume—this may be an extreme case, but just for the sake of developing it let us assume—that the file is replete with derogatory information gained from specified information gained from specific individuals about the person charged, and that that information on the surface; that is, as contained in the file, looks pretty bad, but at the time of the hearing of this individual you are unable to produce any of the individuals, either because they have given their information under a pledge of secrecy or otherwise, you are unable to produce any of the individuals who gave this allegedly derogatory information, then in your hearing do you completely disregard the information in the file because you cannot produce the witnesses?

General Snow. By no means, Senator.

Senator HICKENLOOPER. What is your procedure in that?

General Snow. Our procedure is entirely one-sided. The only evidence that is normally produced at the hearing is evidence put in by the employee. The Government presents no case, ordinarily. Under the regulations we invite those few individuals who have given testimony and have indicated a willingness to appear before the Board to appear, but they rarely do appear. But as a matter otherwise than that we present no case for the Government. The file which we have in our possession is part of the proceeding, and we give that file all the force that it would appear to warrant—that the file itself would appear to warrant. We consider the file as part of the case. We do not present it in evidence.

Senator HICKENLOOPER. In other words, in considering this case, you do not take the position that simply because the employee appears

and gives the only affirmative testimony which I think from a human standpoint would be self-serving so far as he is concerned, you do not consider that because the only verbal evidence that comes in before your Board is favorable to the employee and his side of the case, that that is your entire evidence?

General SNOW. Oh, not at all; no, sir.

Senator HICKENLOOPER. And you take the evidence in the file and weigh it for whatever it is worth, based upon your judgment and experience in the past and whatever sensible reliance you think you should put on it, is that correct?

General SNOW. Correct.

Senator HICKENLOOPER. Now let's take a case of this kind. Suppose an employee's file has been sent forward to your Board for review. You have a hearing, and there is considerable doubt raised as to the desirability of this employee, either as a security risk or on the question of loyalty, either one. There is a doubt, but that doubt is about 50-50. You could resolve it either way. Do you give the employee the benefit of doubt?

General SNOW. No. We give the Government the benefit of the doubt.

Senator HICKENLOOPER. I am awfully glad to hear you say that.

General SNOW. I can refer you to rule 393.32 in the State Department Regulations and Procedures, of which I shall be glad to make a copy available to the committee. If a reasonable doubt exists as to whether the person falls into one of the categories listed in section 393.1 the Department will be given the benefit of the doubt and the person will be deemed a security risk.

Senator HICKENLOOPER. But that is in the question of a reasonable doubt. I am talking about the matter of where you may say, "Well, this may not rise to the full value of a reasonable doubt as legally interpreted, but still we can't be too sure that this fellow is affirmatively all right."

General SNOW. Are you talking about disloyalty or a security risk?

Senator HICKENLOOPER. I am talking about security risks or disloyalty, either category.

General SNOW. Disloyalty comes under a different modus operandi.

Senator HICKENLOOPER. I understand there is a requirement on disloyalty for more specific proof.

General SNOW. Under disloyalty, the standard for the removal from employment is all the evidence—all the evidence—indicates reasonable ground exists for belief that the person involved is disloyal. Now we have to consider, under that head, all the evidence, and find, if we recommend removal, that there is reasonable grounds for belief that the person involved is disloyal.

That is a judicial function which is difficult but which has to be performed.

Senator HICKENLOOPER. But on that reference to "judicial" do you use that in the general sense of a sound judgment, or do you attempt to follow legal procedures?

General SNOW. I don't know whether it is judicial or judicious. I mean judicial in the sense that it is the function of a court. We consider ourselves to be a court. We do not, however, follow all the rules of evidence, if that is what you mean by a "judicial procedure."

Senator HICKENLOOPER. That is what I was asking, whether you attempted to hold your hearings on the basis—

General SNOW. No. They can put in all the hearsay testimony they want. It is mostly hearsay that we have against them.

Senator HICKENLOOPER. Yes.

I believe that you have covered this in your statement, but I want to merely ask you about it. The term "guilt by association" has been used a great deal, a term which, it appears to me, is not approaching exactly the full problem we have facing us. I think the term is much better "risk by association," especially in the security risk cases.

General SNOW. That is right.

Senator HICKENLOOPER. Complete guilt often is impossible to prove, and yet there is often evidence of definite risk involved coming from association. Is that not true?

General SNOW. That's right. Guilt is a term more applicable to the accusation of disloyalty than security risk. Security risk is something that may be quite guiltless, as a matter of fact.

Senator HICKENLOOPER. From a loyalty standpoint?

General SNOW. From a loyalty standpoint and from any reasonable standpoint. A man may be quite loyal and not be guilty of anything.

Senator HICKENLOOPER. There is a distinction between loyalty and risk, very definitely.

General SNOW. Disloyalty is a state of mind, and security risk is a fact. A man is a security risk or he isn't in accordance with whether or not there is danger of his giving away classified information. That is all there is to security risk.

Senator HICKENLOOPER. On page 3 of your statement you refer there to "association."

General SNOW. Yes.

Senator HICKENLOOPER. I do not like to take the time to read all of that paragraph, but I will read part of it:

Not only Communists were proscribed as security risks, or persons affiliated with, or in sympathetic association with the Communist Party, or who consistently believed in or supported the ideologies and policies of the Communist Party, but even persons who had habitual or close association with such persons, so as to justify the conclusion that they might voluntarily or involuntarily divulge classified information without authority.

I would appreciate it very much if you would amplify what the degree of association has to be. I realize it is a rather twilight zone, perhaps, but what general attitude does your Board take on association? Is association on one or two occasions considered to be significant, or does the association have to be on a dozen or 25 occasions? Does it have to be over a period of a week or 30 days or 6 months? In other words, what is the scope, the reasonable scope, that delimits the category of association to the point where risk may be involved?

General SNOW. By definition the association has to be such as to justify the conclusion that the employee might voluntarily or involuntarily divulge classified information. That is the fundamental basis of a judgment.

Now, to apply that basis, the fundamental question is, What is the nature of the association?

Senator HICKENLOOPER. It is that field that I am trying to explore.

General Snow. It is that field that I am exploring for you. Is the association a normal association, for instance in line of duty? We have a great many cases where there has been association with known Communists and that association is normal because it has been in line of duty. They are delegated or directed to associate with those people.

Senator HICKENLOOPER. I think that is fully understandable, where they are doing a job, doing what they are told to do in keeping with their work.

General Snow. Also we have cases where, in times past, they have associated with their own superiors, who have been castigated in a report as subjects of suspicion, who are no longer in the Department in question or are with some other department of the Government.

Senator HICKENLOOPER. Let's pursue that a moment. If they have been in close association with their superiors, who have been separated because of their activities, and if they have continued that association, does that raise a question?

General Snow. There is your point. It would raise a question, unless the continuance of the association was apparently perfectly normal—meeting on the street, meeting in the office, casual or otherwise, is not subject to criticism. What we are looking for in the matter of association is the kind of association that might lead to disclosure of classified information, because that is the fundamental purpose of the inquiry, to find out whether the employee is or is not a security risk. We are not prosecuting the employee for something he has done. We are trying to find out whether or not he is a security risk, and the matter of association must be regarded from that light.

Senator HICKENLOOPER. I want to ask you the same question that I asked Mr. Nicholson, whether or not you consider that evidence of membership in a substantial number of organizations declared to be subversive by either the Attorney General or other official bodies—let's say membership in 10, 15, or 25 organizations of that kind—would raise a question of that person's associations and security risk that should be examined into.

General Snow. Were the Board to find membership in a large number of organizations listed on the Attorney General's list, we would normally either submit an interrogatory to the person, to find out what his explanation was for such membership, or we would prefer charges and hold a hearing. That would be the normal procedure.

However, there might be cases in which on all the evidence it was perfectly clear that association with those organizations, such as sponsorship of dinners, parades, letters to the public, and one thing or another, or letterheads on which their name appeared as sponsors but which did not indicate membership, might be safely disregarded insofar as either interrogatories or hearings are concerned. It all depends on the nature of the association, and we must not forget that what we have to look at is the whole file in every case. We are not looking at just a derogatory piece of information standing by itself, and nothing more. We have the whole file before us for consideration, and we make our determination as to what to do on the whole file, not on a single isolated circumstance that the party back in 1940 or 1941 or 1943 was sponsor of a lot of things that had to do

with this institution which in 1947 was declared to be subversive by the Attorney General.

Senator HICKENLOOPER. Wouldn't it be a matter of interest to you to find out whether the individual were still a member of those organizations?

General SNOW. I said that if he was a member, that would be one thing. The question is, however, whether the evidence you are considering is evidence of membership or evidence of having been approached by the organization to lend one's name to some activity of the organization. There is a sharp distinction between the two things. I think in the case of membership I would have to say to you, Senator, that if we found the person was a member of the organization we would issue at least interrogatories.

Senator HICKENLOOPER. It would seem to me, General, a person appearing as a sponsor of an organization, or as an adviser for the organization, would be pretty much of an indication that that person was supporting the organization and advancing its purposes and activities.

General SNOW. It depends again on what you have in the file. You can judge pretty well by the rest of the file whether that person is supporting that organization or not. If there is nothing else in the file derogatory except the fact that he lent his name in 1941 to sponsoring a parade that was initiated by an organization declared to be subversive in 1947, you are going pretty far to think that that is evidence of disloyalty or security risk.

Senator HICKENLOOPER. Yes, I think there are cases—isolated cases—where that would apply, but it would seem to me that if it occurred in case after case after case—

General SNOW. It doesn't, Senator.

Senator HICKENLOOPER. I think there is some evidence that it has occurred—that it would be a matter that would at least raise a flag of warning to make inquiry?

General SNOW. You are quite right as to that.

Senator HICKENLOOPER. I am just interested in the procedure end of this, and what you people feel to be some kind of a trail to be explored.

General SNOW. You are quite right, Senator, that it would raise a flag of warning, and you are quite right to indicate the importance of the matter. The Board has in very many cases directed interrogatories to the employee to determine the reason for membership in one of the Attorney General's organizations. That is common procedure for the Board.

Senator HICKENLOOPER. Yes, but it would seem to me to accentuate itself if that same person appeared repeatedly and over a period of a number of years—let's say 5, 6, 7 or 8 years—as the sponsor or the supporter of successive organizations which in turn successively are declared to be subversive.

General SNOW. Your assumptions are perfectly sound. It might in any given case, however, be overcome by the other evidence in the file. Just bear in mind that we always have the whole file to consider, not just that fact that you mention.

Senator HICKENLOOPER. I think all my questions have been answered.

Senator TYDINGS. Let me say, General Snow, Mr. Seth W. Richardson, who is here at my invitation today to testify, tells me he has a very important engagement at 1 o'clock, and I would like to ask the committee whether it would be agreeable to them to ask General Snow and the Board to remain a little while and let Mr. Richardson testify at this time, so he can leave and keep his engagement.

Senator GREEN. I have one question to ask which I think can be answered "Yes" or "No." I don't know that it will be.

I want to congratulate General Snow in the first instance on his very clear description of the functions of the Loyalty Security Board. Having taken such an active part in its functions throughout its whole existence, and having no doubt made modifications in the procedure during that period of time, and being able to make other modifications under the Executive order, I should like to ask whether there is any legislation that could be enacted which would in any way help either the Loyalty Security Board or the whole process of screening to protect our country against either disloyalty or security risk.

General SNOW. No, sir; I have no particular recommendation. I might say that the Board has no power of subpoena and no process by which we can make witnesses appear. If it should be desirable that we actually put in evidence on behalf of the Government, the power of subpoena would be useful.

Senator GREEN. What is your opinion? Would it be desirable? Would that help you in your work?

General SNOW. Not to a large extent. I think we are quite satisfied with the situation as it is.

Senator TYDINGS. I understand Senator Lodge has only one question, and maybe we can let General Snow go before we call Mr. Richardson.

Senator LODGE. Let me say that I think you have made a very illuminating statement. I noted in your statement here, "The Loyalty Security Board is not an investigatory body." Of course that is true, but you are in a very good position to have an opinion on the effectiveness of the investigatory procedure, and I would like to know whether you think there is a real follow-through insofar as this checking for security and loyalty is concerned.

General SNOW. In my opinion, Senator, there is.

Senator LODGE. The operation is constantly being policed, in your view?

General SNOW. In my view that is right. Of course, I am not particularly familiar with the methods they use to follow up, but the results seem to justify the means.

Senator LODGE. Would you say that was true insofar as investigations here in the United States were concerned and investigations abroad are concerned, both?

General SNOW. Yes, sir.

Senator LODGE. You feel that the set-up overseas is just as effective and just as rugged as what we have here in the United States?

General SNOW. I am afraid I am not very competent to judge of the system overseas because I haven't been overseas during my term of duty, and I don't know just what the system is, but I know we have results from overseas which are comparable to the results from within the Department.

Senator LODGE. Thank you very much.

Senator TYDINGS. I understand Senator McMahon has only a question or two.

Senator McMAHON. I just want to clear up one thing, General. On page 4 of your statement you say this:

Every loyalty determination by a panel of the Board goes from the administrative officer to the Loyalty Review Board of the Civil Service Commission for postaudit.

Now, on page 5 you say:

Since 1947, as of March 1, 1950, the Loyalty Security Board of the State Department has determined 246 loyalty cases. One hundred and ninety-nine of the cases have been postaudited by the Loyalty Review Board.

There seems to be a contradiction there.

General SNOW. It is not a real contradiction, Senator. I think the Loyalty Review Board has simply not got around to the other cases.

Senator McMAHON. Maybe they have resigned.

General SNOW. They do not post-audit some cases. Some of the cases are explained in that manner; yes. There are several cases where the employees has subsequently resigned and therefore the case has not been post-audited, but there are other cases, and Mr. Richardson can answer better than I can which have not yet been covered by the Board.

Senator McMAHON. Where did you do your Army service, General?

General SNOW. First World War or Second?

Senator McMAHON. Both.

General SNOW. I did my Army service in the First World War with the Field Artillery in France. I did my Army service in the Second World War in Washington with the Signal Corps.

Senator McMAHON. Are you a member of any veterans' organization?

General SNOW. I was a member of the American Legion for some time. In fact, I was commander of a post at one time. I am not at present a member.

Senator McMAHON. I want to congratulate you, General, on the way you have gone about your work.

General SNOW. Thank you.

Senator McMAHON. There are those who would like, apparently, to put into effect in this country the same kind of procedures that Archbishop Stepanik and Cardinal Mindszenty suffered under. I guess you do not agree with that.

General SNOW. You are correct.

Senator TYDINGS. General Snow, I want to express the thanks of all of the committee, I am sure, to you and to the members of the Board for coming up here this morning, but to you particularly for your very full and complete explanation of the procedures in your Department.

All of you gentlemen are excused, if you desire to retire.

Senator LODGE. Mr. Chairman, before we go on with the next witness I would like to set down now my desire that in executive session we hear all of those who were directly charged with the follow-through on this program and the day-to-day policing of the operation, and the way in which it is policed. I would like to have all those men come up before us so that we have a chance to look at them and talk to them.

Senator TYDINGS. How many would that be?

Senator LODGE. Whatever the number is that is actively and directly conducting the follow-through.

Senator TYDINGS. I will ask that be done in executive session as soon as it is convenient, Senator Lodge.

You gentlemen are excused. I ask Mr. Seth W. Richardson if he will come to the stand.

Do you solemnly promise that the evidence you shall give in this matter pending before the committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RICHARDSON. I do.

STATEMENT OF HON. SETH W. RICHARDSON, CHAIRMAN, CIVIL SERVICE LOYALTY REVIEW BOARD

Senator TYDINGS. Mr. Richardson, just before you read your statement, you are an attorney in Washington at the present time?

Mr. RICHARDSON. That is true.

Senator TYDINGS. Prior to that were you in the service of the Government?

Mr. RICHARDSON. That's right.

Senator TYDINGS. I believe you were Assistant Attorney General—is that the correct title—at one time?

Mr. RICHARDSON. That is correct.

Senator TYDINGS. When was that?

Mr. RICHARDSON. During the Hoover administration.

Senator TYDINGS. You served the full time during the Hoover administration?

Mr. RICHARDSON. And a short time with General Cummings, who succeeded General Mitchell.

Senator TYDINGS. What branch of judicial administration did you have charge of?

Mr. RICHARDSON. Lands; Indian Affairs.

Senator TYDINGS. State your age, Mr. Richardson.

Mr. RICHARDSON. Seventy.

Senator TYDINGS. I can't believe it. You are too good a golfer to be 70 years old.

We are very glad to have you. If you will read your statement, we will appreciate it.

Mr. RICHARDSON. I submit the statement, Mr. Senator, purely in the interest of brevity. Personally I should very much like to tell about the loyalty program extemporaneously.

Executive Order 9835, promulgated by the President on March 21, 1947, is the basis for the existing employee-loyalty program. Under this order, general directions were given by the President for the initiation of a loyalty check of all incumbents or applicants in the executive department. Under the direction of this order, the Civil Service Commission appointed the Loyalty Review Board. This Board was organized in November 1947, and thereupon formulated the necessary rules and procedures to carry the Executive order into effect. It has been operating under those rules and regulations ever since, and is now so operating.

I can only attempt, in this short time, to sketch the outline of the program thus inaugurated.

The entire loyalty check is based upon the initial examination by the FBI of the employee or applicant file, and that investigation in the first instance by the FBI is followed by a field investigation when and if the FBI deems further investigation is necessary.

There have been established in each of the departments of the Government loyalty boards appointed by the head of the Department whose duty it is to take charge of loyalty matters for the particular Department. The report from the FBI, in a case where there has been a field investigation, comes to that board. The board examines it. If there are derogatory elements present, the board then issues a letter of charges to the employee, giving him the right to answer, to appear in person, with witnesses and an attorney, for a hearing.

In that hearing the loyalty review board of the Department considers the FBI report. It discloses to the employee the factual charges made in that report in detail, but it does not disclose to the employee the evidential source from which confidential information comes. Such information as exists in the FBI report as is not confidential is open to the employee in connection with the hearing.

The employee has opportunity to offer witnesses. He is advised of what the charges are against him. He is assured that he will not be judged on any charge that is not presented to him. He is permitted to offer witnesses, to appear by attorney, and the boards are directed in event of a dispute in testimony to take into consideration that the employee has not been given an opportunity to confront the evidential source of the charge against him.

At the conclusion of such a hearing that board makes a finding. If the finding is favorable, that ends it so far as the board is concerned. But if it is unfavorable, then a right of appeal is given to the employee, appeal to the head of the Department, where he has a new hearing and a new decision is made. If that decision is favorable to him, that ends it.

Senator GREEN. May I interrupt for a question? What proportion of the cases are appealed?

Mr. RICHARDSON. Let me take that in my stride, Senator, please.

Senator GREEN. Excuse me.

Mr. RICHARDSON. It goes to the head of the Department and he passes on it. If he finds favorably and reverses the decision below, that is the end of it. But if he finds that the decision below was right and makes an unfavorable determination, then the employee is given an appeal to the Board of which I am a member.

Those procedures are with reference to employees. With reference to applicants, the Civil Service Commission has created a system of regional boards, and those regional boards receive the FBI report and proceed to handle it and dispose of it in the same general way as I have illustrated, and from their decision there is an appeal to the Loyalty Review Board.

I want to make you clearly appreciate the fact that until the President's Executive order was promulgated no employee had any right to any hearing of any kind on any charge before any Department, so that the initiation of the right to hearings came from the President's Executive order, and if the order should be withdrawn and the loyalty program ended, no employee today would have any right to any hearing of any kind as a condition of his discharge.

Now, the Loyalty Review Board is made up of about 25 or 26 members, 4 of whom are in Hawaii. They are picked from the whole country. We have three or four on the Pacific coast, three or four in New York, two or three in Boston, three or four in Washington, some in Florida, Louisiana, Kansas, Ohio, Illinois, so that there have been drawn into the Board men from all over the United States.

Senator TYDINGS. On a nonpartisan basis?

Mr. RICHARDSON. I suppose so. About 10 or 12 of them are lawyers. I should say half a dozen are educators, and the balance are men from business walks of life. Fortunately most of us are well along in years, probably because it gives us a little more time to devote to an activity of this sort.

As to the political make-up of the Board, I think they are about evenly divided, but I can't speak on it, because actually I can put my finger only on two sources.

One member of the Board asked me whether belonging to the Loyalty Board would prevent him from serving as a Republican judge in his district in the election. I judged from that that he was a Republican. The other is the very distinguished Dr. Meta Glass, who is a sister of Carter Glass and lives in Virginia, and I assume from that that she is a Democrat. But those are the only two ones that I would want to be sure were either Republican or Democrat.

The Loyalty Review Board has functioned from the start very largely as an appellate group, taking appeals that come through from the lower boards. At the same time we have an audit procedure. Our staff is made up of a number of experienced examiners and they audit every single case determined in the loyalty program.

I do not want to make that any broader than it is, because that audit is primarily procedural and is intended to assure us that the regulations which we have adopted and the rules that we have laid down are being followed in the carrying through of this loyalty program; that the proper notices are given to the employee; that the employee is given a proper hearing; that the employee is given his copy of the transcript; that the employee is given his notice of appeal. We want to be sure that all of those things are complied with, because in this loyalty program there are about 160 boards, so they could easily get all confused if there wasn't an audit system.

Senator HICKENLOOPER. How many are there on each board, Mr. Richardson?

Mr. RICHARDSON. I can't tell you. Some departments have three; some departments have eight or nine. In the Post Office Department they have, I think, five. That is entirely up to the head of the department, how many people he wants to assign to his local board.

Senator HICKENLOOPER. Do you have any idea at all what the total number is of all the 160 boards?

Mr. RICHARDSON. No. I wouldn't even make a guess. I have never figured it out, and it would be just a guess. I should say you might say an average of four would probably be nearly right.

Senator HICKENLOOPER. Thank you.

Mr. RICHARDSON. Now this post-audit, however, may bring up at any time a situation in a given case which seems to be so unusual, so out of line, so out of accord with what the record seems to be, that the examiner will suggest that a panel of our Board take that case and give it careful initial consideration.

The moment a panel engages in that activity, the panel has all the power it needs to take care of that case. It can, upon such a hearing, affirm the lower finding; it can send a case back for additional procedure below; or it can, if it wants to, resolve itself into a trial board and make a brand new hearing de novo in the case. But for the most part, to the largest extent the review is a true post-audit review.

Now, the operations of the Board are under the panel system. A panel of three members is usually appointed, and to those members a case is assigned and that panel completes the work of the Board in that case, and the decision of that panel is the decision of the Board, although there is a power reserved to the entire Board under certain narrow circumstances to resolve itself into a committee of the whole and reconsider a case that has been determined by a panel.

During the Board's activities it has considered, I would think, several hundred cases. And every member of the Board has been involved in the various panels with reference to those cases. We have confined our consideration wholly to the matter of employees or applicants, and the moment a person is no longer an employee or an applicant our procedure has stopped immediately, because, you see, our recommendation is to separate the man from the service, and if he is not in the service the proceeding becomes moot.

Except with reference to certain veteran appeals, where the veteran as a matter of right has a right to a review of his case by the Civil Service Commission, and where the determination of the appeal is final, all of the recommendations of the Loyalty Review Board are advisory. But I feel frank to say to you that there has not been a case where a recommendation of the Loyalty Review Board has not been followed by the respective department.

It may be interesting to you to observe that the appeal cases that come to us are cases which have developed an adverse finding below, because you would not get any appeal unless there was an employee who had been adversely judged below.

It may be of interest to observe that the Loyalty Review Board's record is about 50-50 on reversals of those cases. Despite the fact that the board below may have found a man disloyal, or evidence indicating disloyalty, the Board's record is about 50 percent of reversals of those cases. The standard on which we operate was told you by the chairman of the State Department's loyalty board—whether on all the evidence reasonable grounds exist for the belief that the employee is disloyal.

Senator HICKENLOOPER. Do you refer in your statement, Mr. Richardson, to the number on this 50 percent reversal—that is, how many cases have come before you and how many have been reversed?

Mr. RICHARDSON. I do not have it here. I could very easily ascertain it—definite figures from my assistant, Mr. Meloy, who is here. The figures do not appear in my statement.

Senator HICKENLOOPER. Could you get those figures and give us the number?

Mr. RICHARDSON. Mr. Meloy, how many cases have come by appeal to the Loyalty Board of Review?

Mr. LAWRENCE V. MELOY. We have restored 124 people after appeal. There have been dismissed as a result of an ineligible determination 182 in the program.

Senator TYDINGS. Mr. Richardson, right there you are talking about the entire Government, not the State Department.

Mr. RICHARDSON. Yes; the entire Government.

Senator TYDINGS. General Snow, as far as you have heard him testify, testified that so far as his Board, your findings have been practically the same as his all the way through. That is correct, is it not?

Mr. RICHARDSON. I do not think that we have reversed a case in the State Department. I am not sure how many may have been sent back for supplementary attention.

Senator McMAHON. He gives a figure.

Mr. RICHARDSON. Now, here is an interesting thing, too. The FBI has considered nearly 3,000,000 files. More than 10,000 of those cases have been given a field investigation by the FBI. Not one single case, or evidence directing toward a case, of espionage has been disclosed in that record. All of these cases that we have had have had to do with this question of association, affiliation, membership with organizations which have been certified by the Attorney General to be subversive.

I may say, outside of this written statement, I cannot believe that you could have 3,000,000 targets for a widespread attempt to secure subversive agencies in the Government without some of them having clay feet, but I say it is an extraordinary thing that not one single syllable of evidence has been found by the FBI, efficient as they are, indicating that a particular case involves the question of espionage. The Judy Coplon case did not come under the loyalty program. The other cases that have been illustrated in the press all existed prior to the loyalty program.

Senator HICKENLOOPER. A great many people do separate themselves voluntarily prior to taking any appeal, do they not?

Mr. RICHARDSON. This is not in the statement. I have been asked the question, "Is this program any good, in view of the fact that out of all these millions, only a very few have been separated from the service?"

I have no stock answer to it. When we started this program, Senator, there was an immense increase in the percentage of resignations from the Government service. What that means I don't know. Very likely many of those resignations were entirely in good faith; but many of them may have felt that an FBI investigation was not a good atmosphere for them.

Senator HICKENLOOPER. So they got out rather than face the music.

Mr. RICHARDSON. Second, Senator, it may easily be that there were groups of individuals who would have come into the service who felt they did not care to undergo an FBI investigation before they got in, and we were relieved from that. That is a guess, too.

The third is the question of the morale of the Government service by reason of this FBI investigation. The charge has been bruited abroad that the morale of the Government was being broken down. The exact opposite is true. It must have been a very great relief to the 3,000,000 employees to discover that there were less than one-twentieth of 1 percent that the FBI could find anything wrong with.

Fourth, as to the future: I have found no evidence whatever of any resistance or objection or recalcitrance on the part of the employees of the Government in carrying through this program. We have had

the cooperation, Senator, of the FBI, of the Civil Service Commission, of the Department of Justice, of every head of a department, to make this program work and not one word of criticism or suggestion or influence has come out of the White House to direct our attention. If the thing does not work, it seems to me that it lies right on our front door if such a program can be made to work.

Senator GREEN. In that connection may I ask you the question I asked of General Snow, whether you had any recommendations to make as to helpful legislation to make the program better.

Mr. RICHARDSON. I think the only way you can make the program better is to get better men enforcing it.

Senator GREEN. That cannot be done by legislation.

Mr. RICHARDSON. And, except for my own personal modesty, you will go a long way before you improve on the personnel of the Loyalty and Review Board.

Now I come to something that I want to make clear to you. On March 28 the President, by letter, requested the Loyalty Review Board to arrange for a complete and detailed review, as soon as possible, of the cases in which charges of disloyalty had been made to this subcommittee. This review the President asks be made to cover all cases heretofore reviewed by the Board in its regular loyalty program as well as reports of all loyalty investigations made by the FBI, the files of the State Department, the files of the Civil Service Commission, any evidence produced before the committee or any evidence called to our attention either by the committee or by anyone else interested in the work of the committee.

The President, of course, created this Board. Consequently if he asks us to review he had the power to ask us. The Board, in a formal meeting, unanimously agreed to review every one of these cases.

Now, requests have already been made of this committee and of Senator McCarthy for a complete list of the cases in which charges have been made. The Department of State, the FBI, the Civil Service Commission, have already been requested to furnish to our Board everything they have got with reference to these individuals contained in this list.

Senator HICKENLOOPER. Mr. Richardson, may I interrupt there? A list of all the person named by Senator McCarthy privately and publicly to this committee is attached to the subpoena that was served on you.

Mr. RICHARDSON. Yes. We asked the committee for it. It has not yet been forthcoming.

Senator HICKENLOOPER. But you did receive the list attached to the subpoena which was served on you.

Mr. RICHARDSON. Not only that, but we got a list to confirm that list from the State Department.

Senator HICKENLOOPER. So you have the list.

Mr. RICHARDSON. So we have a list. But until we get a certificate from this committee that it is the true list, we are taking it for granted that it is correct. I assume it is, Senator.

Senator TYDINGS. Mr. Richardson, I will be glad to give you a certificate, and I think your request is a proper one, but I would like to say that the list you have, without the certificate, is an accurate list of all the persons named by Senator McCarthy.

Senator McMAHON. I wonder about that. Named by Senator McCarthy when and where?

Senator TYDINGS. These are the 81 persons in the Senate and the 9 persons he designated publicly, and that is all we have, against whom any charges have been heard.

Mr. RICHARDSON. And the President's letter to us is confined to those cases on which charges have been made before the committee.

Senator McMAHON. These do not include the 205 card-carrying Communists who are known to the Secretary of State to be card-carrying Communists, as of Wheeling, W. Va., according to Senator McCarthy's statement?

Senator TYDINGS. I would say to my colleague, and also to Mr. Richardson, that the committee has not yet received the names or the evidence of any card-carrying Communist from any source, including Senator McCarthy, up to the present time. We have not received any evidence of any card-carrying Communists now in the State Department, up to the present time.

Senator McMAHON. Thank you, Senator.

Mr. RICHARDSON. We have transmitted currently to this committee and to Senator McCarthy a request to advise us of any additional testimony available, and as soon as we get these records and files, which will come in to us, as soon as we complete our trial brief of a particular case, a panel will be appointed. That record will be turned over to the panel; the panel will investigate. If the panel concludes that it is necessary to have a hearing, the panel will notify the employee involved, give him an opportunity to appear in person and by his attorney and be heard; permit any witnesses who have relevant testimony on the question of disloyalty to appear before that panel in the particular case.

Those hearings will be private. No one will be permitted to be present except people who are involved in and interested in the proceedings, and the report which the panel will make will ultimately be forwarded to the President for such use as he may want to make of it.

So far as we can, we propose that our work on this review shall follow the seasoned procedure which we have developed for 2½ years under this loyalty program. It will only cover disloyalty, because the President has indicated to us that the authorization to this committee is confined to disloyalty, and he desires the review which we are to make to apply to disloyalty, as distinguished from security.

Senator TYDINGS. Mr. Richardson, could I just put this sentence in? The exact words of the resolution read that we are to investigate charges of employees in the State Department now or formerly employed who are charged with disloyalty, and nothing else. You are correct in your assumption.

Mr. RICHARDSON. We have in our loyalty board program a group of current cases of employees that are involved in this loyalty program. The Board feels strongly that those individuals ought not to be left hanging on the string while we endeavor to comply with the request of the President, and we propose to handle our current workload of pending cases so that those employees may have an expeditious answer to the question involved in their appeals. Subject to that, the board is entirely willing to give the request of the President all possible precedence.

One final thing: We would like to have the fullest cooperation from this committee and from Senator McCarthy in endeavoring to bring into this file that is to be reviewed every element of evidence with reference to disloyalty that is available. We will do everything we can to get it. We will fix the time for presenting them as reasonably as we can, always keeping in mind that the report that we make has got to be reasonably expeditious.

That is all I have, Senator.

Senator TYDINGS. Mr. Richardson, I would like to say to you now, subject to the approval of the committee—and I am sure the committee will approve it—that every bit of testimony, every document, everything, any evidence of any kind, manner, shape or form that this committee has or which it may obtain in the future, will, unless I am overruled by the committee—and I don't think I will be—be made available to you or to your investigators if you will give me a letter indicating to whom I shall turn it over.

I would like to say this, that some of this evidence, of course, is a single piece of paper, perhaps, or a book or whatever it may be. We would appreciate its being examined in our room rather than taken away so that the committee can have all of its evidence at hand if it wants to look into it.

Senator HICKENLOOPER. I might suggest, Mr. Chairman, that that ought to be a two-way street. We ought to have access to whatever evidence Mr. Richardson has.

Senator TYDINGS. It ought to be a three-way street. We ought to have access to all the evidence Mr. McCarthy has.

Senator HICKENLOOPER. I agree with that. I have no objection to furnishing Mr. Richardson's group with what evidence we have, but I think by the same token he ought to furnish us with what evidence he has, because we are charged by the Senate with making formal findings, and I think we ought to have access to it.

Mr. RICHARDSON. That little problem I leave in your laps.

Senator TYDINGS. Mr. Richardson, unless there are some questions by the members of the committee—

Senator HICKENLOOPER. I have several, yes.

Senator TYDINGS. Senator Hickenlooper.

Senator HICKENLOOPER. Mr. Richardson, I want to get a little clearer understanding of the procedure which you will follow in these matters. You say you have 160 boards over the United States?

Mr. RICHARDSON. That's right.

Senator HICKENLOOPER. And they will average about four members, so that is about 600 people, roughly—perhaps more?

And they examine into the loyalty charges that may properly come before them under the loyalty program in the various departments. Is that correct?

Mr. RICHARDSON. That is right.

Senator HICKENLOOPER. How many members are there on the loyalty board of which you are chairman; that is, the top loyalty board, the final appeal board?

Mr. RICHARDSON. Twenty-six currently.

Senator HICKENLOOPER. Do you have other members subordinate to your board that are not specifically assigned to special departments as members of boards? I understand you have a staff.

Mr. RICHARDSON. We have none who are board members, but we have a staff headed by a very efficient general executive secretary, a group of examiners, stenographers, and the like.

Senator HICKENLOOPER. About how many are on that staff?

Mr. RICHARDSON. About 30.

Senator HICKENLOOPER. And do the 100 boards have a staff?

Mr. RICHARDSON. My information is that each department has assigned to a board a legal officer who aids them and assists them in the handling of their work.

Senator HICKENLOOPER. In the review of these cases I was wondering about the size of your establishment. I noted a question as you were going through as to that. About how long a time do you think it would take to canvass these cases? Let's say there are, well, just for the sake of illustration, 115 of them—80 plus 26 plus 9.

Mr. RICHARDSON. I wish I could answer your question, Senator. I can't.

Senator HICKENLOOPER. Could you give me any kind of estimate?

Mr. RICHARDSON. No. Some of these cases, by reason of the limitations of the file, will be disposed of at a rate of two or three or four a day by a competent panel. There will be other cases here that are going to take a week or two.

Senator HICKENLOOPER. In your procedure, how do you do? Do you submit the file to the staff to recommend to the panel?

Mr. RICHARDSON. I fix the panel, and then the office sends to that panel the file involved in a particular case.

Senator HICKENLOOPER. That would be the FBI investigating file and other information that you have collected?

Mr. RICHARDSON. That's right.

Senator HICKENLOOPER. Then that file goes to the staff for review and recommendation to the panel, does it? Or just what happens?

Mr. RICHARDSON. No. The only thing the staff does is to digest it and make an assisting memorandum to the panel as to where they will find the various testimony.

Senator HICKENLOOPER. But the staff does review this for the benefit of the panel, to expedite their work?

Mr. RICHARDSON. But with no recommendations of any kind. That is in some cases, Senator. There are many cases in which the panel itself makes its own complete investigation without any assistance from the examiner at all.

Senator HICKENLOOPER. But the staff does not undertake to recommend to the panel either way.

Mr. RICHARDSON. Well, there is this qualification. If a staff auditor is auditing a case for regularity and anything comes up which seems to him out of line, he is authorized and directed by me to communicate with me, so that if necessary a panel can take that out of his hands and make the examination.

Senator HICKENLOOPER. Yes. What I am getting at is, I would think that would be in the normal course of their duties, but your staff does not make a final recommendation that this case be approved or denied. That is the responsibility of the panel, after the staff has reviewed the file and whatever evidentiary matter there may be in there.

Mr. RICHARDSON. That's right.

Senator HICKENLOOPER. Do your 160 boards follow that same procedure out in the field in the various departments?

Mr. RICHARDSON. I don't understand how they could.

Senator HICKENLOOPER. What do they do in the case of a loyalty matter that may be in the jurisdiction of one of these 160 boards?

Mr. RICHARDSON. Well, suppose you are the board. A case comes in to you. A messenger delivers to you a file, say 6 inches thick, in the case of John Smith. A similar file, or if there isn't a copy of it that file, is then circulated among the members of your board, and you examine it to ascertain, first, whether there is a substantial derogatory element in that file. If there isn't, it is the duty of the board to say so, close the file, and send it back.

Senator HICKENLOOPER. Then it is the same procedure followed in the field with these boards where their particular jurisdiction is involved that is followed by your board. The whole file is sent for their review?

Mr. RICHARDSON. No; it isn't the same, because the duty of the agency board is to take that file and digest it on the merits. But when that file comes to us, with a favorable finding below, it is only audited, and the audit is for the purpose of ascertaining whether regularity has been followed, and it is only the very occasional case where a panel of our board enters into a determination, or a redetermination, of a question of merit, which has been determined by the lower board.

Senator HICKENLOOPER. Yes. And then in the field, if they come to a conclusion, they refer their conclusion back to you?

Mr. RICHARDSON. No.

Senator HICKENLOOPER. Let's use the term, "one of your 160 boards." That is the only way I know to refer to it.

Mr. RICHARDSON. Call it agency board and you have it.

Senator HICKENLOOPER. That has jurisdiction over this matter. When they come to a conclusion, that board, then the board forwards its conclusions to you.

Mr. RICHARDSON. With the file.

Senator HICKENLOOPER. With the file. It returns the file and forwards the conclusion to you.

Mr. RICHARDSON. That's right.

Senator HICKENLOOPER. Now did I understand you to say that in certain cases the department head can overrule the finding of your loyalty board?

Mr. RICHARDSON. No. The department head can overrule the finding of his own board.

Senator HICKENLOOPER. But not of your board?

Mr. RICHARDSON. Oh, no.

Senator HICKENLOOPER. Mr. Chairman, I merely want to indicate, as a result of a very clear explanation of this, that we have some 600 people in the United States who are members of these loyalty boards, together with 30 or 40 staff members over there, all of whom have access to these FBI reports, yet we are denied—five members of the Senate are denied—looking at the FBI reports on these cases, and I think it is a very, very significant thing. In other words, these files are sent all over the United States; they are given to 160 loyalty boards and their members, and they are subject to the examination and specific determination and development of derogatory information by clerks

in the departments, yet five members of a subcommittee who want to examine them in secrecy and in confidence, if you please, because I have never advocated making them public, to make up our own minds on conclusions we are directed by the Senate to make, are denied access to the reports in the various files.

Senator TYDINGS. I think it is only proper to say, about these regional and central boards, that so far as I have been able to learn, there has never been a leak out of any of them yet.

Mr. RICHARDSON. Well, they are all human.

Senator TYDINGS. Mr. Richardson, before you leave I would like you to know that the only evidence we have has been presented openly by Senator McCarthy, with certain exhibits that are in the record, with one possible exception, where the chairman was handed a small lot of evidence on a matter. That is, all of the matter that we have before us has been told publicly either on the Senate floor or before this committee. There has been no evidence given to us of any consequence, at least, in executive session. We only had one meeting in executive session with Senator McCarthy, and we got no new evidence out of that. We discussed some other matters. So when you get the record and the exhibits you will have all the evidence up to now, with one possible exception, which the committee has.

Senator GREEN, have you any questions?

Senator GREEN. I just want to draw my distinguished colleague's attention to the fact that it is a little inaccurate to say that all these 160 boards had all these records. Each one of these records goes to only one board, which is very different.

Senator HICKENLOOPER. If there is any question about that, what I mean was, all these people, six or seven hundred of them, which is more than all the Members of the House of Representatives and all the Members of the Senate put together, have access to FBI and departmental investigative loyalty files, whether it is 1 or whether it is 50.

Senator GREEN. The question, as I understand it, isn't between the number of people who have access to it; it is a question of whether the legislative branch shall submit these things to the executive branch and vice versa.

Senator TYDINGS. I would imagine, with the exception of the Republican judge, Judge Richardson, referred to a while ago, none of the people who are on these boards is in active politics, either, and that ought to make a little difference.

Mr. RICHARDSON. We are in something of a novel position because we have received an application from the Library of Congress, which is a congressional body, asking if we won't take charge of their loyalty cases too, and I raise the very distinct question that so far, at least, we were not considering anything but executive employees.

But in view of the fact that our findings are purely advisory, if it would help the situation at all we would take on the Library too. Since then I understand the Army proposes to use us.

I might put this in, because I like to have it known. None of the people who serve on this board is paid except when he works, and when they do not work it does not cost anything. And if this workload grows, as I think it will, they are going to be DP's in the first sense of the word.

Senator TYDINGS. Well, of course, we have never had any loyalty investigation for the large number of employees of the legislative establishment. We have thousands of them here on both sides of the Capitol, and so far as I know there has never been any loyalty check on them, and it might be not unfair to say that we might want to put our own house in order before we go searching around other houses of the Government.

Mr. RICHARDSON. I want to thank you very much for coming up. I apologize for keeping you a little longer than I intended. Thank you for your very comprehensive report.

The committee will stand in recess until 10:30 tomorrow morning. (Whereupon, at 1:05 p. m., a recess was taken until the following day, Thursday, April 6, 1950, at 10:30 a. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

THURSDAY, APRIL 6, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER S. RES. 231,

Washington, D. C.

The subcommittee met, pursuant to adjournment on April 5, 1950, at 10:30 a. m., in room 318, Senate Office Building, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senator Tydings (chairman of the subcommittee), Green, McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally (chairman of the full committee), Lucas, Tobey, McCarthy, Mundt, and Knowland.

Senator TYDINGS. The committee will please come to order.

We have set aside today in order to give Dr. Owen Lattimore, who has been accused by Senator McCarthy, with certain others, I think it was "of being an unsafe risk," and in other ways—a chance to come here and testify in his own defense, or in his own behalf.

Dr. LATTIMORE is here with counsel and we will proceed.

Doctor, if you will rise and hold up your right hand and be sworn.

Do you solemnly promise and swear that the testimony you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. LATTIMORE. I do pledge and so swear, so help me God.

TESTIMONY OF DR. OWEN LATTIMORE, ACCOMPANIED BY ABE MORTAS AND PAUL PORTER, OF COUNSEL

Senator TYDINGS. Take a seat, Doctor.

Now, Doctor, you may proceed in your own way to read or speak extemporaneously.

You may proceed from now on.

Dr. LATTIMORE. Thank you, Senator.

May I read without interruption?

Senator TYDINGS. You may, sir; and then, of course, we will have the right to question you afterward.

Dr. LATTIMORE. Surely.

Senator TYDINGS. Go ahead, sir.

Dr. LATTIMORE. Mr. Chairman, and members of the subcommittee, I wish to express to you my appreciation for this opportunity to reply to the statements about me which have been made by Senator Joseph McCarthy, of Wisconsin. The Senator has in effect accused me of disloyalty and treason. He made these accusations when I was in Afghanistan, and I did not hear of them until some days after they were first made.

Senator TYDINGS. Just a moment. There is a rather large crowd in the room today, and I know you want to hear the witness, and I know the television and radio people would like to hear the witness. The Chair will appreciate it if those in the room will desist from audible conversation, and as little movement as possible, so as to not interrupt the proceedings.

Go ahead, Doctor.

Dr. LATTIMORE. The technique used by the Senator in making these charges is apparently typical. He first announced at a press conference that he had discovered "the top Russian espionage agent in the United States." At this time he withheld my name. But later, after the drama of his announcement was intensified by delay, he whispered my name to a group of newspapermen, with full knowledge that it would be bandied about by rumor and gossip and eventually published. I say to you that this was unworthy of a Senator or an American.

As I shall show in detail, McCarthy's charges are untrue. As soon as I heard of the substance of the charges I denounced them for what they were: base and contemptible lies. In fact, as I recall, on several occasions I used somewhat more colorful words.

Gentlemen, I want you to know that it is most distasteful to me to use language concerning a United States Senator which, to say the least, is disrespectful. To me, the honor and responsibility of American citizenship carry with them an obligation to respect the high office of a Member of the United States Senate. But that office, the position of United States Senator, likewise carries with it a responsibility which this man Joseph McCarthy has flagrantly violated. As a citizen who holds no official position, it is my right and duty to list these violations which are illustrated by the Senator's conduct in my own case.

He has violated it by impairing the effectiveness of the United States Government in its relations with its friends and allies, and by making the Government of the United States an object of suspicion in the eyes of the anti-Communist world, and undoubtedly the laughing stock of the Communist governments.

He has violated it by instituting a reign of terror among officials and employees in the United States Government, no one of whom can be sure of safety from attack by the machine gun of irresponsible publicity in Joseph McCarthy's hands.

He has without authorization used secret documents obtained from official Government files.

He has vilified citizens of the United States and accused them of high crime, without giving them an opportunity to defend themselves.

He has refused to submit alleged documentary evidence to a duly constituted committee of the Senate.

He has invited disrespect to himself and his high office by refusing to live up to his word. Twice on the floor of the Senate he stated that any charges that he made under the cloak of immunity, he would repeat in another place so that their falseness could be tested in a court of the United States. He said that if he should fail to do this he would resign. He has been called to repeat his charges so that they could be tested in a court action. He has failed to do so. And he has not resigned.

Gentlemen, I speak to you as a private citizen. I owe no obligation to anyone except my country and my conscience. I have spent my life in the study of the problems of the Far East, and, as an author and journalist, in writing about those problems as I saw them. I have written 11 books, and literally hundreds of newspaper and magazine articles. Too few people in this country have realized the importance of the Far East—of China, Mongolia, Tibet, India, Pakistan, Afghanistan. These areas of the world seem to most Americans to be merely places in a travel book. I have been trying all of my life to arouse interest in this area and to spread knowledge of it in this country.

Now, suddenly, this Nation is beginning to awaken to the fact that the Far East may be a center of the political crisis in which we find ourselves. That is a hopeful development. From this awakening, public debate is bound to result; and through public debate, the Nation should be able to evolve policies toward China and the Far East which we will carry out in the same spirit of patriotic nonpartisanship which has, until recently, distinguished our conduct of foreign affairs in Europe.

But before this essential public debate on China policy can take place, there are some things that have to be cleared away.

First, it is possible for people, including officials of the United States Government, to oppose further aid to the Nationalist Government of China without being disloyal to the United States, or pro-Communist.

Second, persons, including officials, who opposed further aid to the Nationalist Government—or who advocated a reduction of that aid, after the end of the war with Japan, were not necessarily disloyal to the United States or pro-Communist.

Third, citizens of the United States, including State Department officials engaged on far eastern work, are presumptively loyal and devoted to their country.

Fourth, persons who are engaging in violent propaganda for all-out aid to the Nationalist Government in Formosa and to Generalissimo Chiang Kai-shek, do not have a monopoly of opposition to communism. Some of these people are undoubtedly sincere; but none of them is entitled to assert his views by vilification and personal abuse of others, or by unfounded attacks upon officials of the United States Government.

Now it is obvious that Senator McCarthy and I differ on each of these points. Judging from his unquestioning acceptance and extensive use of the propaganda of the so-called China lobby, he is at least its willing tool. The Senator seems to feel that everyone is disloyal whose opinions do not agree with those of himself and the China lobby with respect to total and complete commitment of the United States to the Nationalist Government of China. Some of his denunciations are understandable only on the theory that he believes that anyone is disloyal whose opinions on China policy during the last 9 or 10 years parallel or support those of the Government of the United States. In the latter category the Senator would have to include Gen. George C. Marshall, General Stilwell, and presumably the various Secretaries of State, Messrs. Hull, Stettinius, Byrnes, and Acheson.

In fact, I wonder a bit how a man so young as Joseph McCarthy, whose acquaintance with national and international affairs is so recent, can have become such a great expert on the difficult and complex problem of China and the Far East. My wonder on this score increased when I read his speech on the Senate floor. Some of his material is from Chinese and Russian sources. Or perhaps I should say that some of his exotic material on Mongolia appears to trace back to some Russian source of distinctly low caliber.

I did not know that the Senator was a linguist. But really, the material that the Senator read is so badly translated and so inaccurate that I am sure that I should not like to place the blame for it on the learned Senator. Indeed, I fear that the sound and fury come from the lips of McCarthy, but that there is an Edgar Bergen in the wood-pile. And I fear that this Edgar Bergen is neither kindly nor disinterested.

In any event, the Senator has stated that he will stand or fall on my case. I hope that this will turn out to be true, because I shall show that his charges against me are so empty and baseless that the Senator will fall, and fall flat on his face. I trust that the Senator's promise that he will retire from the arena if his charges against me fail is not as insincere as his twice-repeated promise to resign if he should fail to repeat his libelous accusations in a forum which would expose him to suit. I hope the Senator will in fact lay his machine gun down. He is too reckless, careless, and irresponsible to have a license to use it.

In fact, it is somewhat difficult to pin down the Senator's accusations against me. He first mentioned me on March 13 in a statement before this subcommittee. At that time, according to Senator McCarthy, I was merely a humble fellow who was just "pro-Communist." The specific charges in support of this included just about the same things that appeared in McCarthy's final summation on the floor of the Senate on March 30.

On March 21, McCarthy told a press conference that an unnamed man connected with the State Department was—I quote: "The top Russian espionage agent in the United States."

Subsequently, McCarthy identified me as this top espionage agent in a meeting attended by various persons. If the Senators will excuse me, I shall not give them the details of this meeting because it has a bearing upon an action for libel which I propose to discuss with my attorneys at the earliest possible moment.

It is significant to note that my eminent position as "the top espionage agent" was apparently an afterthought. When McCarthy first made his sensational charges on February 20 in which he said that there are 57 Communists in the State Department and 205 bad security risks—not one of which he has produced—he apparently did not have me in mind, directly or indirectly. Indeed, he referred to three cases—No. 1, No. 2, and No. 81, as "the big three." These cases, as the Senator described them, did not relate to me. Subsequently, he referred to Mrs. Brunauer as "the most important case." As I believe the Senators will agree, Mrs. Brunauer has completely demonstrated that McCarthy's charges against her were characteristically untrue.

My eminence, therefore, as the top Soviet espionage agent, dawned upon the Senator rather late in his crusade. It didn't last very long. I was pretty quickly demoted from the position of big fish to relatively small fry.

In his major broadside on the Senate floor on March 30, the Senator, quite understandably, showed that he was getting a bad case of weak knees. In that speech the worst charge that he falsely made against me was that I was "one of the top Communist agents in this country." You will note that I was merely one among many; and that I was no longer guilty of espionage. Indeed, he suggested that maybe the best way to describe me was as a "bad policy risk"; and the poor fellow ended up on page 4446 of the record by saying that "I fear in the case of Lattimore, I may have perhaps placed too much stress on the question of whether or not he has been an espionage agent."

Now, I can understand why the Senator wants to weasel, particularly in view of his brave—but I fear insincere—statements that he would stand or fall on my case and that he would repeat his statements in an unprivileged forum or would resign. But I think that I would be the instrument of a great service to this country if the Senator should resign, and I want to deal with each of his charges.

At the outset, however, I should like to make clear just what my connections with the State Department and the United States Government have been. The fact is that I have, and have had, no connection with the Department, and the Department does not consult me and has not consulted me, except as follows:

(1) I was appointed by the President as a member of the Pauley reparations mission to Japan and served in this capacity for 3 or 4 months, beginning October 15, 1945. Although this was a White House mission, I was paid by the State Department for my services.

(2) I participated in a 2-day panel discussion of China problems at the State Department in October of 1949. The members of this panel included about 25 or 30 specialists from universities, business, and public life. Among them were Gen. George C. Marshall, Harold Stassen, and John D. Rockefeller III. It was while this conference was in preparation that I wrote a memorandum, at the specific request of the State Department, giving my views—there should be a correction there. I should say, giving my views on the far-eastern policy in general, including the China policy.

(3) On June 5, I lectured on Japanese problems at the State Department. It is my understanding that this was one of a series of lectures to State Department personnel presented by persons of various points of view. Other than this, I have never been a consultant for the State Department or on its payroll.

I do not have a desk in the State Department. I do not have a telephone there. I do not have—and never have had—access to State Department files. The Senator must know that these statements of his are untrue, but it is typical of him that the last time he repeated this silly charge he phrased it in a way that would do credit to the most devious of Communist propagandists. This is what he said on page 4447 of the Congressional Record:

Whether or not the Secretary of State will ever admit that Lattimore has a desk in the State Department is comparatively unimportant.

Now, gentlemen, I suggest that kind of language is not made in Wisconsin.

Apart from those listed above, my only employment record with the Federal Government is that during the war, from 1942 to 1945, I was first Deputy Director of Pacific Operations and then a consultant, for the Office of War Information.

With the stated exceptions, I have held no positions in the United States Government.

In July 1941 I was appointed as political adviser to Generalissimo Chiang Kai-shek. I was appointed by the Generalissimo upon recommendation of President Roosevelt. At the end of the 6 months' period for which I was appointed, the Generalissimo urged me to accept reappointment for 1 year. In February 1942 I returned to the United States, then went back to Chungking, and about the end of 1942 offered my resignation. The Generalissimo graciously refused to accept my resignation formally, but asked me to consider myself on indefinite leave.

Since one of Senator McCarthy's astonishing affidavits says that I was sent back to the United States because the Generalissimo was displeased with me, I ask permission to file as part of the record a copy of a letter from him to President Roosevelt in 1942, expressing his appreciation of my services in rather flattering terms.

Senator Tydings. It will be granted, but we prefer to have it read now, unless you would like to read it later.

Dr. LATTIMORE. Surely I will read it now.

It is dated Chungking, January 12, 1942:

DEAR MR. PRESIDENT: I am happy to have the opportunity afforded by Mr. Lattimore's return to America on a short visit to send you a word of greeting and to thank you for recommending him as my political adviser.

Mr. Lattimore has fully measured up to our expectations and has entirely justified your choice. You unerringly detected the right man to select to act as a counselor at a time when decisions which will affect the whole world for generations to come are in the balance. He has not only a wide knowledge of our language, history, and geography; he has, in addition, an invaluable understanding of our contemporary political affairs. His absolute integrity is manifest in everything that he does or says, and I never have the slightest doubt that any suggestion that he may make is based upon a genuine desire to assist China to the utmost of his power.

The rest of the letter, Senator, refers to other matters. May I omit reading them

Senator Tydings. If you wish. The whole letter will be put in as exhibit 68, but you may read the part that bears on this controversy.

Dr. LATTIMORE. I also file a cordial letter from Madame Chiang in 1944 asking me to be their house guest.

This is dated Chungking, Szechuan, April 28, 1944:

DEAR MR. LATTIMORE: I sent you a letter soon after my return from America, but as I have not heard from you I do not know whether it reached you. Therefore, I am asking General Hearn to take this letter to America and mail it from there.

I understand that there is a possibility of your coming with Vice President Wallace. If that information is correct—and I hope it is—I should be very happy if you will be our house guest during your visit to Chungking.

With all good wishes to Mrs. Lattimore as well as yourself.

Yours sincerely,

MEY LI SOONG CHIANG.

I shall hereafter refer to the Senator's great, but undeserved compliment concerning the degree of my influence on State Department policy.

But at this point, I want to deal with Senator McCarthy's charge that I am the top Russian espionage agent in this country. As I have said, the Senator has backed away from this accusation and would probably prefer that it be forgotten. But I don't want it to be for-

gotten that the Senator made the charge. It is an accusation of a base crime, the crime of obtaining and supplying secret information to a foreign nation. In his entire 4-hour speech, in which he has dredged up and slung at me all the mud that he could accumulate from all sources, however polluted, McCarthy does not recite a single act or circumstance which even on its face supports this vile accusation.

The nearest he comes to any attempt specifically to charge me with being a Soviet agent is to refer to a trip that I made to Point Barrow, Alaska, in May of 1949. He says that I had two cameras with me on that trip, and that I have a room in Baltimore devoted to "special photographic equipment." Then he adds, with sinister implications—I quote—that—

It would be very interesting to know where the pictures are today which Lattimore took with those two cameras.

Now, Senators, I did go to Point Barrow. I went there as alternate for the president of Johns Hopkins University, to attend a meeting of the Arctic Research Laboratory Advisory Board. The purpose of the meeting was to discuss research work being done there by various universities under Navy grant. As I recall, one of the projects which I studied and reported on while I was there, concerned the archeological and dendrochronological research which was under way. The minutes of this rather academic meeting at Point Barrow are not classified. I offer a copy of them for the record.

Senator TYDINGS. Without objection, they may be printed in the record, as exhibit 69.

May I seize this opportunity to ask if Dr. Isaiah Bowman was then president of Johns Hopkins?

Dr. LATTIMORE. No, sir; he had already retired and Dr. Bronk had become president.

Gentlemen, I confess that I had a camera, just one. Senator McCarthy says everybody else had two. I took a lot of pictures. I didn't get around to developing them until Senator McCarthy made his charges. The pictures and the negatives and Kodachrome slides are right here and I am glad to let you have them. I offer them for the committee files. They are all intact, and none of them has been sent to Russia or given to secret agents.

Senator TYDINGS. They will be made a part of the files.

Dr. LATTIMORE. I hope that you will enjoy the pictures of Eskimo children, dog sleds, huts lined with whale ribs, natural beauties, and sunsets. If any of you have any suggestions as to how I can be a better amateur photographer I would appreciate your letting me know.

Incidentally, the special photographic equipment that I have in my house is an ordinary dub photographer's darkroom in which my son and I develop our pictures when we have the time.

Now another story that Senator McCarthy tells goes back 14 years, to 1936. The Senator says that he has an affidavit from a former Red general. This Red general says that he talked to another Red general in 1935 or 1936. The second Red general told the first Red general that they were getting good intelligence reports about Mongolia and the Far East through the Institute of Pacific Relations which, the second Red general said, the Soviet Intelligence had taken over through Communists in the United States. All of this occurred, you will note, in 1935 or 1936.

Senator McCarthy has refused to make this affidavit available to my lawyers, and I have not seen it. But on the basis of the Senator's statements concerning the affidavit, I confess that I am completely bewildered as to what he means to show by it. The only reference to me in the alleged conversation between the two Red generals is the following: After reciting that the Soviet Intelligence had taken over the Institute of Pacific Relations through Communists in the United States, the affidavit states—and I quote—that—

In connection with this, the Red general particularly mentioned Owen Lattimore.

Now, if this is intended to be a charge that in 1936 I was a Communist, it is obviously false. I was not a Communist then; I was not and have not been a Communist at any other time, and I am not a Communist now. But you don't have to take my word for this as of 1936. On page 4446 of the record Senator McCarthy himself quotes another one of his own informants, as saying that in 1936, I "was not yet a Communist."

Now I suggest that the Senator can't have it both ways. He and his informants should make up their minds whether I was or was not a Communist in 1936.

The only relevant part of the charge—if any of it is relevant—is the insinuation that the Institute of Pacific Relations was, in 1936, a tool of Soviet Intelligence. In 1936 I was editor of the institute's magazine Pacific Affairs and resided in Peking, China. It was my job to accept or reject articles for publication in the magazine and to do the usual type of editorial work.

Gentlemen, I shall not take your time now to repudiate in detail the attacks on the Institute of Pacific Relations which Senator McCarthy repeats. I shall content myself with saying at this point that the American Institute is a research and educational organization which a recent Rockefeller Foundation report called "the most important single source of independent studies of the problems of the Pacific area and the Far East." Gerard Swope, honorary president of International General Electric, recently succeeded the late Ray Lyman Wilbur, Hoover's Secretary of the Interior, as chairman of the American Institute of Pacific Relations. Among its trustees are Gen. George Marshall; W. R. Herod, of International General Electric; and C. K. Gamble, director, Standard Vacuum Oil Co.

You may wonder why there has been this vicious attack upon the institute and upon everyone who has ever been connected with it. If McCarthy had exercised even common prudence, he could have found out the reasons, and he would have known that he was being used as the simple dupe of a group of fanatical persons who have been thoroughly discredited. The attack upon the institute, its trustees, and officials, including me, has been going on for many years.

The basis of the attack was, first, that the institute and I and others were pro-Japanese imperialists; and later that we were pro-Communist. The assault took the form of floods of propaganda, including dozens of articles, some of which were written under false names and some of which are reproduced in Senator McCarthy's speech of March 30.

Some of the material used in the campaign was distributed to Members of the Congress by William J. Goodwin, who is registered

both as a lobbyist and as an agent of a foreign power, namely, the Nationalist Government of China. According to his registration, Mr. Goodwin receives \$25,000 a year for his services. There is a correction there, Mr. Chairman. He is connected with more than one branch of the Chinese Government, and his total compensation appears to be \$36,000 a year, plus some expenses.

Senator TYDINGS. The correction will be made a part of the record.

Dr. LATTIMORE. The attack on the institute culminated in an effort in 1945, by a man named Kohlberg, to seize control of the institute. He was defeated in a proxy fight, receiving only 66 votes from the 2,000 members of the institute.

At the time of this fight the institute was defended by many of its distinguished members, trustees, and officers, including Edward Embree, Sumner Welles, W. W. Waymack, Arthur H. Dean, Robert Gordon Sproul, and Ray Lyman Wilbur. I have here a mimeographed publication on the details of this fight, prepared by the institute, which I should like to file with the committee as part of this record.

Senator TYDINGS. The record will be filed as exhibit 70.

Dr. LATTIMORE. Mr. Kohlberg and his allies were thoroughly discredited. However, they did not thereafter relent in their campaign, but they made no progress. The institute continues to include among its active members, trustees, and officers some of the most distinguished names in the country. It continues to receive the financial support of the Carnegie and Rockefeller Foundations. And it continues its essential work in the study of far-eastern problems.

It is easy to understand the joy of Kohlberg and his associates when they found the willing hands and innocent mind of Joseph McCarthy. It is easy to imagine their pleasure when they observe a United States Senator creating an international sensation by regurgitating their own fantastic and discredited venom.

I have prepared and I file with the committee an analysis of the McCarthy charges showing in parallel columns their virtual identity with the Kohlberg charges. Incidentally, the Senator—without naming Kohlberg—refers to him on page 4460 of the Congressional Record as a good American member of the institute—presumably in contrast to General Marshall, Gerard Swope, Arthur Dean, and former Ambassador O'Neal.

Senator TYDINGS. Do you wish that excerpt read now, or do you prefer to have it filed?

Dr. LATTIMORE. I think, just filed, sir.

Senator TYDINGS. It will be filed as exhibit 71 in the record.

Dr. LATTIMORE. As I have said, however, I shall not take the time to defend the Institute of Pacific Affairs. I hope that this committee will hear more from Ambassador Jessup about it, and from its active officers. I merely tell you as a scholar and an American, that if this particularly vicious revival of an old and disreputable attack injures this great organization, if it is injured, the Nation will lose one of its few sources of research concerning a vital part of the world in which our national interest is in peril, and about which we know too little.

There is, however, one other insinuation specifically relating to me in connection with the institute that I should like to answer. That is a statement to the effect that in 1936 I was in Moscow "obviously

receiving instructions from the Soviet Government concerning the line which the Institute of Pacific Relations ought to follow." The committee will remember that, according to one of Senator McCarthy's informants, in the year 1936, I was at least not yet a Communist!

Now the facts are these: In 1936 I was, as I have stated, resident in Peking, China, as editor of the institute's magazine. I was returning to the United States, and planned to stop off in various countries. E. C. Carter, secretary general of the Institute, was in Moscow, where he was attempting—an attempt that in the long run proved fruitless—to persuade the Russians to take part in the research and discussions of the Institute of Pacific Relations with something that approached the give and take that prevailed among most of the national groups and which made the institute a valuable and constructive international forum. As I recall, Mr. Carter suggested that I stop off in Moscow.

At the time, the institute's magazine *Pacific Affairs*, of which I was then editor, had just published an article which included an uncomplimentary personal reference to Stalin. I soon found out that the Russians considered this a high crime and misdemeanor and were angry with me for publishing what they referred to as a Trotskyist version of events in China. At the same time, I had a particular reason for being more than usually displeased with them because they had just published a review of one of my books in which it was insinuated that I was a Japanese agent.

During the same visit I took part, by invitation, in a group discussion of academic research workers on the social and economic structure of China. One of Senator McCarthy's informants, Freda Utley, was present. Whatever her politics, she was then clearly working for the Russians. The discussion was hardly a success. The interpreting was bad. I could not understand what the Russians were trying to say, and I did not make myself popular when I quoted a book about China by an ex-Communist.

I later delivered to the Soviet Academy of Sciences a lecture on the Far East which I repeated in two cities in Holland and again in London and which was then published in the journal of the Royal Institute of International Affairs in London.

I also talked in Moscow with Ambassador William C. Bullitt about why I thought my interpretation of the situation in Inner Mongolia was right, and the Soviet interpretation wrong. He exclaimed that the Soviet Foreign Office ought to know that, and at his suggestion he then took me to see a Soviet Vice Commissar of Foreign Affairs, whose name I forgot, to whom I spoke my piece, in Ambassador Bullitt's presence and at his request.

You may remember, gentlemen, that it was just about this time that Mr. Roy Howard of Scripps-Howard and United Press had recently been in Moscow, where he interviewed Stalin.

These things, then, are the charges made by Senator McCarthy which have any possible relationship to his charge that I am or was an espionage agent—a charge about which I think even he is uncomfortable. I come now to a variety of other allegations which I suppose are intended to show that I have collaborated with or supported the interests of communism or the Soviet Union.

First, the Senator refers to an affidavit from someone who was once an editor in China, stating that I was a leader in several pro-Russian student uprisings in China. This is fantastic and untrue. I cannot even imagine anything that I ever did or said which might conceivably have suggested this even to a perverted mind. This was in the period when I had close contacts with Mongol nationalists who were anti-Communist and also critical of the Chinese Government. Because of these contacts, neither pro-Russian nor pro-Kuomintang Chinese students were seeking my company.

I have here a letter from Nelson T. Johnson who was our Ambassador to China.

Mr. Chairman, the next paragraph I have here summarizes the letter. Will you accept the summary for the moment, or should I read the letter in full, as well?

Senator TYDINGS. What is the date of the letter, Doctor?

Dr. LATTIMORE. April 3, 1950.

Senator TYDINGS. And by whom is it signed?

Dr. LATTIMORE. Nelson T. Johnson.

Senator LODGE. I would like to have it read.

Senator TYDINGS. Senator Lodge would like to have it read. Please read it.

Dr. LATTIMORE (reading) :

DEAR LATTIMORE: I have your letter of April 2 in regard to the charge that you were "a leader in several pro-Russian student uprisings in China." I was resident in Peking I think throughout the whole of the period between 1930 and 1937 and I recall your presence in Peking very clearly. At the moment, I do not remember how much of that period you were actually in Peking, but I know that you and your family had a home there for most of that time and that my wife and I enjoyed the hospitality of your home and that you were both frequently in our home. I recall very clearly that this period coincided with the invasion of Manchuria by Japan and I remember long conversations with you at various times about your work and the travels that you made into Mongolia and into Manchuria, for you were at that time working on the manuscript of a book which was to be published under the title of "Inner Asian Frontiers of China." I was in a position at Peking in those days, being chief of the American diplomatic mission to China, where if there had been any report of complaint in regard to your activities among the Chinese of a political or seditious character, I would have been informed. I am sure that any information of that kind would have made an impression upon me and that I would not have forgotten it.

I am surprised to learn that you have been charged with having been a leader in several pro-Russian student uprisings in China during that period. I do not remember ever having heard of anything of that kind. I do not recall ever having heard that you were a participant in student troubles of any kind. On the contrary, it is my recollection that throughout this period your interests were in the research which you were living in Peking for the purpose of carrying out among the Mongols and the peoples of Manchuria, and that your work had nothing whatever to do with student movements.

With kindest personal regards, I am,

Very truly yours,

NELSON T. JOHNSON.

Senator TYDINGS. May I see that letter just a minute; thank you.

Senator LODGE. What was the date of the letter?

Senator TYDINGS. It was April 3, 1950.

Dr. LATTIMORE. I have here, also, a letter from T. L. Yuan to my attorneys, Arnold, Fortas & Porter. Dr. Yuan, who was then the director of the Chinese National Library, states that he recalls the strikes and demonstrations by Chinese students in December 1935, and that it is absurd to say that I was the instigator of Chinese student

strikes. I also have a letter to the same general effect from Col. William Mayer, who was then military attaché, United States Embassy in China.

I ask permission to file these letters with the committee.

Senator TYDINGS. I think you had better read those exhibits, too, if they are not too long. I think you will throw light on the controversy here and we will all want to hear them, and it will save reading them in private.

Senator LODGE. Will you identify the T. L. Yuan?

Dr. LATTIMORE. At that time he was director of the Chinese National Library in Peiping, which is the equivalent of the Congressional Library here.

Senator LODGE. Has he an affiliation with the Nationalist Government?

Dr. LATTIMORE. The library was supported, as I recall, partly—

No; the building was partly from a grant by the Rockefeller Foundation; but the main support of the library came from the Chinese Government; that is, the Kuomintang Government.

Senator TYDINGS. While the doctor is getting a little breathing spell, Mr. Fortas, would you, as counsel, like to read that record for him? It will be all right.

Mr. FORTAS. Thank you, Mr. Chairman.

It is a letter to Arnold, Fortas & Porter, Ring Building, Washington, D. C.—

DEAR SIRS—

and it is on the letterhead of the National Library of Peiping, Peiping, China.

Senator TYDINGS. What is the date?

Mr. FORTAS. April 3, 1950.

Senator TYDINGS. Go ahead.

Mr. FORTAS (reading) :

My attention has been called to one of Senator McCarthy's charges against Dr. Lattimore that the latter had instigated Chinese student demonstrations in December 1935. Since you are acting as Dr. Lattimore's attorney, I beg to give you the following statement for your reference:

The strikes and demonstrations by Chinese students in December 1935 were spontaneous manifestations against the autonomy of north China as engineered by Japanese militarists. The strikes were started in Peiping on December 9, 1935, and spread rapidly to other cities. Their slogans, if I remember correctly, included declarations of war against Japan and mobilization of every soldier for national resistance.

In that particular year Dr. Lattimore lived at 88 Ta Yuan Fu Hutung at Peiping serving as the editor of Pacific Affairs. In my capacity as director of the National Library of Peiping, I had many common interests with Dr. Lattimore and I saw him quite often. To the best of my knowledge, he was at that time engaged in the study of inner Asian problems and of the Mongolian language. Such being the case, it is absurd to say that he was the instigator of Chinese students' strikes.

The Japanese once charged that our student demonstrations were led by American missionary institutions and agitated by American missionaries. This charge was, of course without any foundation. Even if it were true, Dr. Lattimore had never been connected with any missionary institution, a fact which was well known to his many friends in China.

Hoping the above information will be found helpful,

Very sincerely yours,

T. L. YUAN.

Senator TYDINGS. I hope that Dr. Lattimore had some association, at least, with some of the missionaries.

Dr. LATTIMORE. I remember, Senator, lecturing on inner Mongolia to the greatest of all mission institutions, the Yen Chen University, at about that time.

Senator TYDINGS. Go ahead, Doctor.

Dr. LATTIMORE. I also have a letter to the same general effect from Col. William Mayer—

Mr. FORTAS. Shall I read that, Senator?

Senator TYDINGS. Read it, please. You may read it for Dr. Lattimore.

Mr. FORTAS. It is on the letterhead of Headquarters First Army, Office of the Assistant Chief of Staff, G-2, Governors Island, New York 4, N. Y. It is dated April 3, 1950.

Mr. OWEN LATTIMORE,

Walter Hines Page School of International Relations, the Johns Hopkins University, Baltimore 18, Md.

DEAR OWEN: Your letter of April 2 just reached me. As far as I can remember I have never head mention that you had any connection with the student agitation that was going on in Peking in the 1930's. There was certainly nothing in the local press and there was never a discussion of your name in connection with this activity. One point you might consider, if there ever had been the mention of your name in connection with the students that fact would have shown up in the Embassy and attaché reports to Washington. I do not believe there are any such reports.

Just for the record, I was away to Siam a few months in 1930 in connection with famine relief and in 1931 in Mongolia, also Manchuria and again in 1932 I was an observer at the unpleasantness in Shanghai, and then took a trip up the Yangtze Gorges. Despite these trips, however, I believe I most certainly would have heard of any rumors linking your name with the student agitation.

Isabel sends her best to you and Eleanor.

Sincerely,

WILLIAM MAYER,
Colonel, General Staff Corps,
Assistant Chief of Staff G-2.

Senator TYDINGS. Doctor, at any time you would like to rest for a minute, your statement is long, so do not hesitate to ask for it.

Dr. LATTIMORE. Thank you very much, Senator.

Second, Senator McCarthy refers to a trip that I made with Philip J. Jaffe and T. A. Bisson to Yenan. I made such a trip. Some time in 1937 when I was residing in Peking, Mr. Bisson and Mr. Jaffe called on me. I had known Bisson slightly as a far-eastern student, when he was working for, I believe, the Foreign Policy Association in New York City. I had never before met Jaffe, but I knew of him as the sponsor of a new magazine, Amerasia, of which I had become a board member. I also knew that he was a wealthy manufacturer of Christmas cards. He wanted to make a trip to Yenan, and he and Bisson wanted me to accompany them because of my knowledge of the area and the language. I was quite interested in going.

The Communists had taken over that area only about a year before. Several newspaper men had got in and every newspaper man in China was trying to get in. It was the biggest news story in China and all papers in Europe and America were eating it up. I had never had any contacts with any Communists in China and I felt that this trip might enable me to round out my knowledge of the country. Unfortunately, when we arrived in Yenan the Communists had set up a public-relations system so that I was unable to secure direct or fresh news. It is true, as Senator McCarthy says, that Agnes Smedley was there at the time. So was Nym Wales, the wife of Edgar Snow. They were there when we arrived and remained there after we left.

There is one additional matter in the McCarthy statement which might possibly be construed as an attempt to connect me with the improper procuring or sending of information to the Soviet Union. It is an attempt to connect me with the Amerasia case. You will recall that in 1945 some of the people connected with that magazine, as well as John Service and Andrew Roth, were arrested on charges relating to the unlawful procurement and possession of Government documents. Service and Roth were not indicted.

I had been on the board of Amerasia from its founding in 1937 until 1941 when I resigned. I was never active as a board member. I consented to go on the board largely because I wanted to show that Pacific Affairs, the magazine of which I was editor, did not object to, but welcomed other periodicals in the same field.

It will be noted that I had no connection with Amerasia after 1941, 4 years before the arrests in the case that Senator McCarthy mentions.

Nevertheless, the Senator attempts on the most flimsy and transparent basis to insinuate, without saying so, that I had some connection with the Amerasia arrests in 1945. He refers to an affidavit which he has refused to supply to the effect that the night before Service, Roth and four codefendants in the Amerasia case were arrested, both Service and Roth were at my house.

The person or persons who made the alleged statements to the Senator are reported by him to have stated that they were present at my house at the time; that Roth, Service and I "spent a great deal of time by themselves, discussing certain papers or manuscripts," and that their actions seemed strange at the time. One of these persons was reported to have said that I subsequently told him that the three of us "had been declassifying secret documents."

This is one of those fanciful distortions that has a remote but perverted relationship to fact. On the Sunday prior to the arrests in the Amerasia case, Mr. Service and Mr. Roth were at my house. I arranged a small picnic at which, as I recall, we ate hamburgers which I cooked on the open fire. There were present, in addition to Roth and Service, Miss Rose Yardumian, now married and living, I believe, in England; Prof. Malcolm C. Moos of the Johns Hopkins University and his fiancee; and Prof. George F. Carter of the Johns Hopkins University and his wife. Nothing whatever strange was going on. Roth had brought with him the galley proofs of his forthcoming book, Dilemma in Japan, and asked me to read them. The material for this book had all been cleared by United States Navy security officers.

The papers or manuscript that the three of us were discussing, then, were nothing but the galley or script of a young author who wanted to get my opinion of his work. There were no Government documents involved, nothing was classified or declassified, and there was absolutely nothing unusual about the entire matter. The allegation that I stated that we were declassifying secret documents is as absurd as it is untrue.

Professor Moos has supplied me with a memorandum stating his recollection of the events of that picnic, and I ask leave to file this memorandum as part of this record.

SENATOR TYDINGS. That will be done. Do you want to read it? Who is the memorandum from?

Dr. LATTIMORE. From Prof. Malcolm C. Moos, of the Johns Hopkins University.

Senator TYDINGS. Go ahead, Mr. Fortas, and read it.

Mr. FORTAS. This is a memorandum on the covering note of transmittal. The note of transmittal is on the letterhead of The Johns Hopkins University, Department of Political Science, dated April April 5, 1950, addressed to Mr. Owen Lattimore:

DEAR OWEN: Enclosed is a memorandum which states my recollections of the picnic at your home on June 3, 1945.

Sincerely yours,

MALCOLM MOOS.

The memorandum is headed "Memorandum from Malcolm Moos provided at the request of Owen Lattimore."

In response to your request, the following is my recollection of the events of Sunday, June 3, 1945, at your house:

Mr. Lattimore had met my fiancee and me on the Johns Hopkins campus one day either late in May or early in June and asked us to come out to his home for a picnic on Sunday, June 3. At the time I had known Mr. Lattimore approximately 6 months, during which time I had been associated with him as a colleague at the Johns Hopkins University. We arrived at the Lattimore home about 11 o'clock Sunday morning. When we were introduced to Mr. Service and Lieutenant Roth they were out in front of the Lattimore house working on some galley proofs. I did not examine the galley proofs, but Lieutenant Roth told me they were the galleys for a book he had written on Japan. He also told me that the book was to be published by Little, Brown Co., of Boston. Insofar as I am able to reconstruct the day I believe Roth and Service spent a good part of it working on the galleys. We spent the day quite informally enjoying the grounds about the home and looking at various objects the Lattimores had collected in their travels.

Dr. George Carter, his wife, and their two children arrived shortly after we did. The only time everyone present (there was also a young woman present whose name I do not recall) was together was around 2 o'clock when we all gathered in the woods a short distance from the Lattimore house to roast hamburgers over an open fire. Following the picnic, Roth and Service went back to reading galleys, and I recall Mr. Lattimore going out in back of his home with a scythe to cut down some weeds. I remember chatting with him for some time while he was engaged in this chore.

My wife and I do not recall seeing any documents during the day, but do remember that Roth and Service were preoccupied much of the time with galley proofs.

Late in the afternoon either George Carter, Mrs. Lattimore, or I called a cab from Towson, and somewhere around 4:30 or 5 p.m. the Carters with their two children, and my fiancee, and I left the Lattimore home. Roth and Service were still there at the time we left. In Towson my fiancee and I took a streetcar for Baltimore and said good-by to the Carters.

Dr. LATTIMORE. Third, Senator McCarthy tries to prove my Red taint by connecting me with Henry Wallace. He alleges that I accompanied Henry Wallace on a trip through the Far East in 1944; he insinuates that I had something to do with an alleged report that the then Vice President made upon his return from the trip; and he says that Mr. Wallace recommended to President Roosevelt in 1941 that my name be suggested to Generalissimo Chiang Kai-shek as his political adviser. The facts are these:

I first met Mr. Wallace in 1942 when, as the Generalissimo's adviser, I took General Hsiung Shih-hui, head of the Chinese Military Mission, to call on him as Vice President. I do not recall meeting him again until 1944, the year when I was appointed to Mr. Wallace's mission to Siberia and China in my official capacity as representative of the Office of War Information.

Senator TYDINGS. That is Colonel Donovan's old outfit; was it not?

Dr. LATTIMORE. That was after Colonel Donovan's original outfit had been divided into OWI and OSS.

Senator TYDINGS. I remember now.

Dr. LATTIMORE. I had no cloak and no dagger, sir.

Throughout the mission, not being a member of the diplomatic service, I was quite properly excluded from high-level interviews and discussions, except on one occasion when I served as supplementary interpreter.

I did not know about the existence of a Wallace report until it was mentioned in the newspapers, and certainly was not consulted about it.

I returned from the mission, as other members of the mission can testify, convinced that Mr. Wallace was not a man I would support politically. I opposed his candidacy for the Presidency.

My appointment as adviser to Chiang Kai-shek was in 1941. I did not then know Mr. Wallace and do not believe he recommended me. I believe that President Roosevelt consulted the late Isaiah Bowman, president of the Johns Hopkins University, whose opinion he valued highly.

Fourth, Senator McCarthy bases his charge that I am a Communist sympathizer on the fact that I was listed as a sponsor of a conference called by the Maryland Association for Democratic Rights. I confess that I remember nothing about this. I checked, however, with our local library, and I discover the following facts:

The conference was in 1940, not 1944—3 years before Senator McCarthy says its parent organization was declared subversive. It was held in Emmanuel Church, Baltimore, under the chairmanship of Rev. Theodore P. Ferris, the highly respected Episcopal clergyman of that church, who had asked me to sponsor it. A long list of sponsors included William F. Cochran, Dr. Gertrude Bussey, Mrs. Henry Corner, Dr. Jonas Friedenwald, Mr. Sidney Hollander, and many other substantial citizens of Baltimore. I did not attend the conference and had no further connection with the organization. According to the records in the Enoch Pratt Free Library it held another conference in January 1941, after which it seems to have died.

I offer for your files a photostat of the program of the meeting which I sponsored.

Senator TYDINGS. May I see that? Just pause a moment, if you will.

Senator LODGE. What was the reason for having this conference?

Dr. LATTIMORE. I don't even remember, Senator. As I say, I had to look back in the files.

Senator TYDINGS. Was that your only contact with this organization?

Dr. LATTIMORE. Absolutely my only contact.

Senator TYDINGS. You never were present on any other occasion, except this one in the church?

Dr. LATTIMORE. No, sir; I sponsored it at the invitation of a friend who asked me to sponsor it.

Senator TYDINGS. It will be filed in the record, as exhibit 72, unless the committee has some other questions.

Doctor, you may proceed.

Dr. LATTIMORE. Fifth, Senator McCarthy also mentions a secret letter which he says I wrote to my "boss," Joseph Barnes, when I

worked for the Office of War Information, dealing with Chinese personnel in the New York office. Barnes was not my boss. We were exact equals, he being Deputy Director of the Overseas Branch of the OWI in charge of Atlantic operations while I had an equivalent title, in charge of Pacific operations, in the San Francisco office.

I do not recall writing a letter on the subject of Chinese personnel, but I may well have written one. At this time many delicate questions arose in connection with our foreign-born personnel. We afforded facilities to Allied governments to send out their own broadcasts, under their own names, but we also employed foreign-born personnel for Voice of America broadcasts, and we maintained a strict watch to see that these latter programs were under complete American control, not influenced by the politics of the home countries of those who worked for us as language experts.

This meant that they could not be in the pay of their own governments and at the same time act as the Voice of America. All of the Chinese employed by me in San Francisco, where we had a Chinese staff of 10 or 12 people, naturally had Kuomintang sympathies, or were Nationalist in their views, and our relations with the Chinese Consulate and Information Service were cordial—but we had to make sure with the Chinese, as we did with other nationalities, that they were only in our pay.

If I wrote the letter from which Mr. McCarthy has read quotations—which, if we can judge from his other quotations, are probably out of context—it was written in the knowledge that Mr. Barnes thoroughly understood this underlying principle and that it was therefore not necessary to spell it out.

I may well have been worried about Chinese personnel at this time. I was aware of rival factions seeking to organize the Chinese in America under the control of rival cliques within the Kuomintang. Naturally, this raised delicate questions for me, as all Chinese were aware of my recent close relations to Generalissimo Chiang Kai-shek.

The Chinese in our San Francisco office, like all other personnel, were under close supervision. In New York I remember a Mr. Chew Hong, whom Senator McCarthy mentions, because he had served in the American Army—on a language-teaching mission in Assam, if I remember rightly. I placed great reliance on Dr. Chi, an older man. I had known him in China where he was, as Senator McCarthy has said, an important figure in his own province. I had also known his son, during the early 1930's in New York, and in 1941 and 1942 in Chungking, where he held a high position in the Bank of China and was very much in the confidence of Dr. H. H. Kung, then Chinese Minister of Finance.

I have had no contact with either Dr. Chi or his son since the end of the war when Dr. Chi returned to China. I have heard that he remained in Peking, like most other university professors, after the Communists took over. I have also heard that his son has taken service under the new Communist-controlled government, like many other high officials formerly in the Kuomintang government.

I do not recall sending suggestions to New York to hire or fire any specific personnel, and I have been unable to obtain access to this letter. Senator McCarthy boasts of the fact, despite his use of the letter, that it is still classified as secret.

I do recall the New China Daily News of New York. I understand that it is now a fellow-traveling paper of the Communist government in Pekin. At that time, however, it was not Communist, and the name "New China" had no significance at all. All kinds of restaurants and other Chinese enterprises in America are called New China.

I have here two letters from Philip E. Lilienthal, who was in charge of the Chinese desk in San Francisco, and Claude A. Buss, who succeeded me at San Francisco, describing my policy in handling Chinese personnel. I offer these for the record.

Senator TYDINGS. Mr. Fortas, do you wish to read them?

Mr. FORTAS. I shall, Senator.

Senator TYDINGS. Go ahead.

Mr. FORTAS. This letter, addressed to me, is dated March 31, 1950, from Palo Alto, Calif.:

Mr. Abe FORTAS,
Ring Building, Washington, D. C.

DEAR MR. FORTAS: Mrs. Eleanor Lattimore has invited me to tell you of my reaction to Senator McCarthy's charge that Owen Lattimore sought, while Director of the Office of War Information in San Francisco during the war, to secure the dismissal of employees who were in sympathy with Generalissimo Chiang Kai-shek. I have not yet seen a published report of Senator McCarthy's remarks that gives his precise language. It may nevertheless, be helpful to offer the following information, which is based on my experience while Chief of the Chinese Division in the San Francisco Office of War Information (OWI).

When Mr. Lattimore hired me as Chief of the Chinese Division in the San Francisco OWI, he did so on the explicit understanding that I would participate in the national effort to support the Chinese Government in its resistance to the common enemy, Japan. There was only one Chinese Government, and its head was Chiang Kai-shek. At no time did Mr. Lattimore—or anyone else in the San Francisco office—offer the slightest grounds for questioning the sincerity of his interest in strengthening the legal Government of China.

As Chief of the Chinese Division, I alone was responsible for employing and dismissing members within the Division. As far as I can recall now, only one Chinese member of the Division was dismissed between the time that I joined the OWI (January 1943) and the time that Mr. Lattimore departed for Washington. That individual was dismissed for two reasons: lack of ability, and refusal to adapt his personal life to the needs of the office. I do not believe that Mr. Lattimore was consulted before or after this man's dismissal; in any case, he was discharged on my initiative. The political views of members of the Chinese Division were at no time of interest to persons in authority over them; "security" was the proper province of other, qualified agencies of the Government, and it was assumed that unfit persons would not receive "clearance" by these agencies.

While he was in charge of the San Francisco office of the OWI, Mr. Lattimore made earnest and continuing efforts to work in close cooperation with representatives of the Chinese Government. He encouraged me to maintain informal contact with officials of the consulate general of China in San Francisco and to discuss our activities with them as far as security regulations would allow. On several occasions Mr. Lattimore invited Dr. Yul Ming, who was at that time head of the local Chinese News Service (an official agency of the Chinese Ministry of Information in Chungking), to attend OWI policy meetings. This privilege was extended, I believe, because of Dr. Yul's ability—ability which the Chinese Government recognized by subsequently promoting him to positions of increasing responsibility. On several occasions Dr. Yul expressed to me his confidence in Mr. Lattimore's sagacity, and his satisfaction that Mr. Lattimore, rather than someone with less understanding of the needs of the Chinese Government, was in charge of the OWI in San Francisco.

Please feel free to make whatever use you wish of the foregoing statements.

Sincerely yours,

PHILIP EUGENE LILIENTHAL.

The next letter is from Claude A. Buss, professor of history at Stanford University, dated April 1, 1950, and addressed to me:

Mr. ALEX FORTAS,
The Ring Building, Washington, D. C.

MY DEAR MR. FORTAS: I am eager to place on the record some impressions which I have gained about Mr. Owen Lattimore during an association which has continued for almost 20 years.

Through conversations with him, and through careful study of his books and articles, I respect him as one of our most profound and original American thinkers about the situation in Asia. Whether he has seen fit to support or criticize any particular aspect of our policy in the Far East, I have always noted that this attitude has stemmed from his fundamental regard for our national welfare and our national interest. Whenever I have disagreed with him, I have never doubted the sincerity of his conviction that his ideas were best for the United States.

I liked to think that I worked closely with him in the Office of War Information. When I succeeded him as director of the San Francisco office, I found the office permeated with a spirit of contributing whatever we could to the winning of the war. We all—British, Chinese, and Americans—cooperated against a common enemy. No one was more jealous of American rights—wherever threatened—than Mr. Lattimore. Our broadcasts to China were dedicated to the help of our ally and it was deemed essential to stiffen the morale of the armies of the Kuomintang under Chiang Kai-shek. Most of our Chinese employees were naturally sympathetic with the Kuomintang, and the Chinese consul general and the head of the official Kuo Min News Agency were always accorded both the most cordial welcome at our office and the most liberal use of our facilities.

I hope that a careful study will be made of our policies and directives, because they will show an unwavering loyalty to the cause of American victory. The fundamental contribution which we could make—as we saw it at that time—was to strengthen the sources of power in China and to add to them, for our own sakes, with every means at our command.

Very sincerely yours,

CLAUDE A. BUSS,
Professor of History.

Dr. LATTIMORE. Now, gentlemen, I believe that I have dealt with each and every one of the specific charges that Senator McCarthy has made against me relating to my alleged actions and activities. I have not, however, specifically discussed the Senator's statement that a witness will testify that I was a member of the Communist Party, a member over whom they had disciplinary powers. The Senator says that this alleged witness is trusted by the Department of Justice and has been used as a Government witness; that this witness has been a member of the Communist Party for a number of years; and that it is part of his work to distinguish between party members and fellow travelers.

I do not know the name of this alleged witness. With full and complete realization of the serious implications and consequences of what I am to say, having in mind the advice of counsel that a member of the Communist Party may presumably decline, on constitutional grounds, to state whether he is or has been a member of the Communist Party; realizing the possibility that perjured or mistaken testimony may be used for purposes of entrapment—whether innocently or not: I make (to you on my solemn oath the following statement:

I am not and never have been a member of the Communist Party. I have never been affiliated or associated with the Communist Party. I have never believed in the principles of communism nor subscribed to nor advocated the Communist or Soviet form of government either within the United States, in China, in the Far East, or anywhere in the world. I have never consciously or deliberately advocated or

participated in promoting the cause of communism anywhere in the world.

For many years, the situation in the Far East has been such that no person could study its problems without undertaking to acquaint himself as thoroughly as possible with the facts about the Communist position and plans in the various countries of that area. I have made it my business, both as a scholar and as a journalist, to accumulate as much information on this as possible, and the results of my studies have all been published.

For years, I have been doing my very best realistically to evaluate the position and prospects of the Communists in Asia. I have publicly stated the weaknesses of their position as I saw them, and also the points that added to their strength and that I feared would enable them to make progress with the people of Asia.

I have tried to avoid wishful thinking and self-delusion. I have tried as emphatically as I could, to warn the people of this Nation that the Communist threat in China and other countries of the Far East is very real indeed; that some of their appeals to the people of Asia are profound. I have tried to point out that it is our task, if we are to stem the advance of communism, to make an appeal to the people of Asia which is not merely equal to that of the Communists, but so far greater that these people would have no doubt as to who are their true friends.

For the purpose of acquiring the information upon which I based my studies and conclusions, I talked and corresponded with informed people all over the world, without regard to whether they were Communists, anti-Communists, politicians, or scholars. Since the middle thirties, communications even with scholars in Communist countries have been more and more cut off. All the more for that reason, like any other student who is worth his salt in this field, I have eagerly seized upon every opportunity to obtain information through chinks and crevasses in the wall of fear and suppression that communism builds around its informed people. For instance, while I was on the Pauley reparations mission to Japan in 1945 I made an effort to see some Japanese Communists because I thought their future activity in Japanese politics was going to be important, and succeeded in seeing Tokuda, one of their two top men. In 1947 I made an attempt to get to Outer Mongolia but was completely baffled. 'Way back in 1936, when I was about to return to China, I even paid a call on Earl Browder, hoping I might open up a lead to information about the Chinese Communists.

During the war, of course, on the instructions of Chiang Kai-shek, I had several conversations with Chou En-lai. None of these contacts, or attempted contacts, however, provided me with access to permanent or reliable information from within the iron curtain in which each individual Communist wraps himself.

I believe that the obvious refusal of Communists all over the world to supply information except through their own controlled press and publications extends to all scholars and research workers from the non-Communist world. It is possible, however, that in my particular case the barriers have been strictly maintained and tightly policed. For many years, I have been the subject of the usual type of Communist abuse and hostile Soviet action. I have been in Moscow only once. This was in 1936 on the visit that I have described. At this

time I was given a transit visa. In 1937 I was denied a transit visa even although I merely wished to take my family out of China via the Trans-Siberian. In 1947, as I have related, my request for permission to visit Outer Mongolia was ignored.

In 1946 a newspaper friend of mine was refused permission to take with him into Russia a copy of Solution in Asia—one of the books that Senator McCarthy says is so pro-Communist that it proves that I am a Soviet agent.

In April 1949, a Soviet magazine, Voprosy Istorii, published an article called American Falsifiers on the Policy of the U. S. A. in Relation to the Chinese Revolution of 1925-27. Senator McCarthy, with his vast knowledge of Russian, should know that I was honored by being listed as one of the chief falsifiers. The article referred to me as a "learned lackey of imperialism."

The Daily Worker, in a review of my book Situation in Asia—which the learned Senator apparently believes is Communist propaganda—says that I go "completely off the beam" in my effort to explain political and social forces in Asia. The Daily Worker says that my approach to American-Soviet relationships "obscures the truth."

In an article published by the State Social and Economic Press of Moscow in 1935 there is a phrase denouncing me which Senator McCarthy unaccountably failed to use. The Soviet spokesman in that article said that "Mr. Lattimore's scholasticism is similar to Hamlet's madness."

I do not mean by this to belittle Senator McCarthy's talent for extreme statement distortion. His characterization of my writings, his summaries and quotations, are sufficiently perverse and twisted to make my Communist critics green with envy. Rather than prolong this statement by a discussion of the Senator's distortions, however, I have prepared three documents which I should like to file as part of the record. I will enumerate these first, if I may, Senator.

First, appraisals of my views by distinguished scholars who have read my books and articles, which perhaps the learned Senator McCarthy considered unnecessary.

Second, statements by various other persons who are familiar with me and my opinions.

Third, a meager sample of the distorted and inaccurate quotations of my works in which Senator McCarthy freely indulges.

Fourth, a few quotations from my own writings.

Those will be rather long, Senator, and rather than read them I offer them for the record.

Senator TYDINGS. Without objection, they will be inserted in the record without reading, as exhibit 73.

Dr. LATTIMORE. As a matter of fact, gentlemen, I am not unaccustomed to vigorous and even violent criticism of my works and views. The fact is that my comments and interpretations have always been so independent that I have in my time been criticized by Chinese, Japanese, Germans, Russians, and Mongols, as well as by intemperate American writers. The criticisms run all the way from calling me an arch-imperialist to calling me a Red. But I assure you that none of this criticism has prevented me from writing the truth as I see it. And not even Senator McCarthy's criticism will prevent me from stating the facts and my views with all the honesty and vigor of which I am capable. I feel that this is peculiarly my obligation at this time,

and the obligation of every other student and specialist who has the Nation's interest at heart.

We face a crisis in Asia as well as in Europe. Our policy—or rather our lack of a united policy and of a strong, determined push to effectuate that policy—has resulted in the loss of China to the Communists, at least for the time being.

No man can state with absolute assurance what the future holds with respect to China. Various alternatives are apparent: First, some people still think it is conceivable that the Nationalist Government in Formosa may reconquer China from the Communists. Second, it is possible that a middle-of-the-road or democratic group in China, not necessarily part of the Nationalist Government—those whom General Marshall rightly called "a splendid group of men"—can still maintain their strong position in the confidence of the Chinese people unless we drive them completely into the hands of the Communists. Third, it is possible that the Chinese Communists will establish a regime which is Communist but substantially independent of the Soviet Union—what people loosely call Titoism. Fourth, it is possible that the Chinese Communist Government will be drawn more and more completely into the orbit of the Soviet Union and will become a satellite state.

There is one thing, and perhaps only one thing, that is perfectly clear. That is, that the fourth possibility—namely, complete and absolute absorption in fact of China by the Soviet Union—would be an unrelieved catastrophe for the United States and for the Chinese people. That means that our national policy must be to do everything that we can to bring about one of the other possibilities that I have stated; namely, to assist the Nationalist Government to reconquer China; to preserve China's independence of the Soviet Union even at the distasteful price of accepting a government of independent Chinese Communists; or to encourage the survival of the strong but unorganized middle group in China—not necessarily connected with the Nationalist Government—which might still be able to limit the power of the Communists and keep China on a road at least parallel to democracy in its internal life and its relations with the outside world.

It is, of course, not inevitable that the Government of the United States should sharply and completely choose one of these alternatives to the complete exclusion of the others. It is possible that policies might be adopted which would be based upon the encouragement of all three of these developments to checkmate the Soviet Union. This would, of course, require a nice and judicious decision as to the relative extent to which we would distribute assistance and encouragement in the three channels.

Now, gentlemen, as I have said, I know of nothing that would be more helpful to our Nation and our Government than full and free debate on this most difficult and vitally important problem. I would myself exclude the first alternative altogether. It is my view that the Nationalist Government in Formosa cannot hope to recapture China, and that the large commitment of United States resources in the Formosa adventure would not merely be wasteful but would be of positive assistance to the Soviet Union because it would make it possible and perhaps inevitable for the Chinese Communists to invite increased participation of the Soviet Union in the conflict.

Let me illustrate this. As the air assaults increase, with United States planes launched by the Nationalist forces from Formosa upon the mainland of China, there is danger—if it is not already a fact—that the Chinese Communist Government with the backing of many of the Chinese people, will invite the Soviet Union to establish air bases and to engage actively in the air war. I personally believe that if the Soviet Union establishes air bases in China they will not be dismantled when the Nationalist forces are defeated. To me this is an appalling prospect. To me, this would make it probable if not certain that the die is cast—that the Chinese Government and the Chinese people will be subordinated to the Soviet Union for a long time to come.

Accordingly it is my view that the major American effort must be in one of the other two directions; namely, to encourage a nationalism, even if it is Communist nationalism, capable of standing up to the Soviet Union and maintaining independence in its dealings with us, or to encourage in every possible way the conditions that will make possible the survival of a so-called third force, a democratic group within China, that can change the character of the government. It seems to me that our long-term objective should clearly be the latter, to build up conditions that favor a democratic group, including such elements of the Kuomintang as may be available and suitable. But it may be that in the short run, while working at this long-term objective, our first objective will have to be to avoid closing the trap on the Chinese so that they feel they have no alternative but Russia—even if it means temporizing with Titoism.

Now, gentlemen, my analysis of this may be partly or wholly wrong. But if anybody says that it is disloyal or un-American, he is a fool or a knave. But it is exactly this analysis which, I am sure, has provoked the current attack in which I have been called these preposterous and villainous names that have been uttered by Senator McCarthy.

Senator McCarthy, without, I am sure, knowing what he is about, has been and is the instrument or the dupe of a bitter and implacable and fanatical group of people who will not tolerate any discussion of China which is not based upon absolute, total, and complete support of the Nationalist Government in Formosa. They do not hesitate at—they even insist on—policies that potential allies of ours in India, Indonesia, Pakistan, and other countries will call ruthless imperialism. Their conclusion—that is, that the United States should put all of its eggs in the Nationalist Government's basket—may be right or wrong. I think it's wrong.

But I am sure that the methods of that faction of these people who are McCarthy's Edgar Bergen are wrong—as wrong as wrong can be. Their methods are to intimidate persons like me and even officials of the United States Government from expressing views that are contrary to their own. Their weapon of intimidation is McCarthy's machine gun: namely, accusation of disloyalty and traitorous conduct. I got a certain amount of wry amusement out of the fact that some of these people are acknowledged ex-Communists. Perhaps that status gives them a special right to criticize those of us who do not happen to be Communists, ex or otherwise. Certainly, it provides them with ideal training and unique skill for the kind of campaign of vilification and distortion that the so-called China lobby is

conducting through the instrumentality of the Senator from Wisconsin.

I do not, by what I have said, want to indicate a feeling of despair about the possibility of democratic success in China. I think I know the Chinese people reasonably well. I have not only great affection but great admiration for them. Despite the relatively backward state of their country, the Chinese people have a strong and rugged sense of individualism and democracy. If they accept the restraints and repressions of communism, it will be because they feel that they have no alternative for national and individual survival. If they accept the iron dominion of world-wide communism, it will be because we, the democratic nations and peoples of the world, have failed. It will be because we, by reason of ignorance or incompetence, have not presented them with an effective choice.

To date, that is exactly what has happened. We have failed in China. Senator McCarthy does me the honor of saying that I am the architect of this policy which has failed. Let me point out that even if this were so, it would not be disloyalty. It would mean that I am a poor architect. The fact of the matter, however, is quite the contrary.

The fact is that I have never held a position in the United States Government in which I could make policy. The fact is that I have been very little consulted by those who do make policy—before Pearl Harbor, during the war, or since the war. I think I can fairly claim—with great regret—that I am the least consulted man of all those who have a public reputation in this country as specialists on the Far East.

Senator McCarthy has stated that United States Far Eastern policy, and especially China policy, has followed my recommendations "step for step." The record shows the exact opposite to be true. Before the war, I was in favor of a much tougher policy toward Japan than the State Department was willing to follow. During the war, I warned that we must be prepared for a period of very rapid change throughout Asia. No attention was paid to this warning. The last chapters of my book, *Solution in Asia*, published in 1945, a few months before the end of the war, are a crowded catalog of unaccepted recommendations.

Since the war, my recommendations have had equally little influence on the State Department. The most recent example of this is my memorandum of last August to the State Department committee headed by Ambassador Jessup, whom Senator McCarthy has called "a Lattimore front." In this I warned that we cannot expect to succeed with little Chiang-Kai-sheks where we failed with the big Chiang Kai-shek. But we are still supporting a little Chiang Kai-shek in South Korea and we have since taken on another one in Indochina. I warned that we cannot coerce China by cutting off trade; but by our feeble attitude toward the blockade of Shanghai we have allowed trade to be virtually cut off. I warned that by indecision in recognizing the facts of life in China we were heading for another set-back in Asia without even the compensating advantage of hampering Russia's ability to maneuver in Europe. That is exactly what has happened. I warned that reliance on Japan as an instrument of American policy is a bad bet, but Japan is still our most risky bet in Asia. I warned that countries in the Far East must not be made to suspect that the real aim of the United States is to use them against Russia, but all of them are now convinced that this is just what our real aim is.

My recommendations may be right or wrong. I may be accused of having given bad advice by anyone who disagrees with my opinions. What I cannot be accused of is advice that has influenced the policy of the United States in the Far East. I wish that I had in fact had more influence. If I had, I think that the Communists would not now control China.

The very foundation of my views toward China is a firm belief that the United States and the democratic nations of the world—if they are willing to abandon the mistaken policies of the past and face the problems of China and the Far East realistically—can help to bring about the establishment of strong democratic governments in the Far East that will work harmoniously with the western powers. Despite Senator McCarthy, my books and articles witness that my basic beliefs are the absolute antithesis of the Marxist doctrine. The Communist line applied to Asia may be easily summed up: Capitalism is in decay and, because it is in decay, the European empires are falling apart; capitalist nations in Europe and America are incapable of any nonimperialist relation with these former colonies which can, therefore, look for hope only to the Soviet Union.

In my view, this is nonsense. I believe that both capitalism and political democracy have immense vitality and adaptability. If they fail to survive, I believe it will be because of dogmatic or uninformed men who insist on policies of coercion, repression, and inequality—not because of inherent defects in capitalism and democracy.

But I want to emphasize with all my heart that we ourselves, if we are so foolish as to destroy our own democracy, can make the Marxist dream come true. We ourselves can cause the decay of capitalism and democracy. The sure way to do this is to permit the destruction of the basic wellspring from which capitalism and democracy derive their vitality: namely, freedom of research, freedom of speech, and freedom for men stoutly to maintain their diverse opinions.

I say to you, gentlemen, that the sure way to destroy freedom of speech and the free expression of ideas and views is to attach to that freedom the penalty of abuse and vilification. If the people of this country can differ with the so-called China lobby or with Senator McCarthy only at the risk of the abuse to which I have been subjected, freedom will not long survive. If officials of our government cannot consult people of diverse views without exposing themselves to the kind of attack that Senator McCarthy has visited upon officers of the State Department, our governmental policy will necessarily be sterile. It is only from a diversity of views freely expressed and strongly advocated that sound policy is distilled. He who contributes to the destruction of this process is either a fool or an enemy of his country. Let Senator McCarthy take note of this.

Now, gentlemen, I shall be glad to answer any questions that you may care to ask.

SENATOR TYDINGS. Ladies and gentlemen, I will have to request you, in line with the rules of the Senate, please not to make any demonstrations either pro or con about any proceedings before the committee.

I will ask that we take a recess for 2 minutes to give everybody a chance to rise while the committee confers.

(A brief recess was taken.)

SENATOR TYDINGS. The committee will come to order.

Mr. Fortas, before Dr. Lattimore left the room I noticed at the conclusion of his mimeographed remarks that there are several excerpts from letters included with this exhibit which reflect the views of outstanding scholars and experts, and so on. I suppose you want those incorporated in the record immediately following Dr. Lattimore's testimony.

Mr. FORTAS. Senator, those were offered in the course of Dr. Lattimore's remarks, and they were received in evidence and are now in the record.

Senator TYDINGS. There is nothing more that you want of a documentary nature put in the record than has already been put in?

Mr. FORTAS. That is correct, sir.

Senator TYDINGS. We will relax a moment until Dr. Lattimore returns. He will be in in a minute or two.

The committee will come to order. Please be seated, those who have seats.

Senator Green, have you any questions to ask the witness?

Senator GREEN. I have no questions to ask the witness, but I have one suggestion to make. Toward the end of his statement, when he summarized the Communist line as applied to Asia, he should make it clear, so that it can't be misquoted, that he is stating the Communist line—that which starts with "Capitalism is in decay, and because it is in decay * * *." I am afraid that summary will be quoted as your summary, Dr. Lattimore, and if you would put in the words "*It is that Capitalism * * **" or something like that in your statement, I think it would prevent that distortion of the statement.

Dr. LATTIMORE. Thank you very much indeed. In view of the kind of dirty tricks that have been used in quoting from my books, I think I should take that precaution.

Senator GREEN. Yes; but you ought not to make it easy.

Senator TYDINGS. Senator McMahon, have you any questions?

Senator McMAHON. No questions. I may have some later.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. Mr. Chairman, again, as I have said before, I have had no opportunity to independently investigate this matter. I have no conclusions one way or the other based upon any preconception of this matter. I do assume that an investigation is an investigation, and that inquiries should be made into various fields for the clarification of any things that have been said, and I therefore have some questions to ask Dr. Lattimore. I have a few questions of my own that have occurred to me since I have seen his statement, and then I asked Senator McCarthy if he had any questions which he thought should be asked of Dr. Lattimore, and he said he did, and furnished me some questions, so at a later time I will submit those questions on behalf of Senator McCarthy as a matter of exploring certain fields that have been covered, or referred to.

Dr. Lattimore, in connection with your studies and your lifelong associations in the Orient and other places in the world, I take it that you have come up against Communist movements and Communist agitation at various places. Is that true? I mean, would you say that you have?

Dr. Lattimore, I am not suggesting one way or the other on that any implication, but you have come in contact with Communist activities?

Dr. LATTIMORE. Senator, the way I would put it is this: I have worked in countries and situations where communism and Communists were present. I was always in the position of dealing either primarily or exclusively with those who were in opposition to the Communists, because, owing to the conspiratorial nature of the way in which Communists operate, it was always exceedingly difficult for me to get into touch with the Communists at all.

Senator HICKENLOOPER. From your associations with these groups, or your independent investigation, then, I take it that you have become familiar with the methods—that is to some degree, at least—used by the Communists in their activities. Would you say that that is a fair statement?

Dr. LATTIMORE. I have become familiar to this extent, that in non-Communist territory I have seen Communist propaganda, and I have been able to know what the Communists were advocating at any particular moment. But the only time in Asia, apart from Asiatic Russia, that I have been in a territory controlled by Communists, so that I could see them actually operating, was on that short trip to Yenan in 1937.

Senator HICKENLOOPER. What is your opinion as to the methods that communism, as controlled from Moscow, operates in its attempt to get into positions of power in other countries? I mean is it, to make that more clear, perhaps, necessarily military occupation, by infiltration, is it by propaganda, is it by conspiracy? What would you say is your impression as to the means and methods which communism has been using, communism as directed from Moscow and stimulated from Moscow, for the advancement of its purposes?

Dr. LATTIMORE. In my experience, which is primarily in China, Senator, the Communists certainly had a good deal of success in getting at student groups in the various Chinese universities. But my experience over the years in China and Mongolia indicates that in general their attempts at infiltration were pretty unsuccessful, and that the main factor in the triumph of communism in China was not the skill or wiliness of the Chinese Communists but rather the almost unbelievably gross mistakes of those who previously held power in China.

Senator HICKENLOOPER. Within your experience, has it come to your knowledge or your belief in China that Russia has been attempting for a number of years to extend Communist influence in China, whether it is Inner or Outer Mongolia or any one of the other provinces of Chinese territory?

Dr. LATTIMORE. Senator, you don't need to ask an expert whether the Russians were interested in the progress and eventual triumph of communism anywhere in Asia. The record in China is a rather mixed one, and appears to indicate that in the 1920's there was a great deal of direct Russian activity, Russian agents, followed by a period in the 1930's when, largely for geographical reasons, there was very poor liaison between the Russians and the Chinese Communists, and the Chinese Communists developed methods of their own, which were largely simply capitalizing on the mistakes of their opponents; and that now, since the civil war in China and since the Communists have a common frontier with Russia, there is a steadily increasing effectiveness of Russian and Chinese liaison.

Senator HICKENLOOPER. Is it your opinion that the leaders of the Communist movement in China today, that is the leaders of the Communist Army and the leaders of the Communist Government as it has been set up in China, are basically—that is, among those who control the movement at the top—Moscow inspired or Moscow trained?

Dr. LATTIMORE. There is no doubt whatever that the top leaders and far down below the top leaders in the Chinese Communists are devoted loyally to Moscow. A great many, in fact I think the topmost, leaders of the Chinese Communists do not happen to be Moscow trained, but they are nonetheless deeply loyal to Moscow.

Senator HICKENLOOPER. How long has this been the situation in the Communist movement in China?

Dr. LATTIMORE. Do you mean how long have they been primarily devoted to Russia?

Senator HICKENLOOPER. Well, how long has it been since the Chinese Communist leaders have followed the Moscow party line, either through loyalty, devotion, or training?

Dr. LATTIMORE. Senator, you are getting into questions of detailed Communist expertise, expertness on the Communist question where I must confess my qualifications do not carry me. I have never specialized in Communist doctrine. My work has been primarily field work in which I was basking my own opinions on observation of situations and men acting in situations.

Senator HICKENLOOPER. Dr. Lattimore, may I assure you that I am not approaching this from any assumption that you are or that you are not sympathetic with any political movement.

Dr. LATTIMORE. It is not a question of sympathy, Senator. It is a question of knowledge.

Senator HICKENLOOPER. I am asking you as a man who has devoted a great deal of his life to the Orient, and who I think has a great deal of cumulative knowledge about Oriental situations, and I am concerned in this question with how long has the general Communist movement in China that ripened into the guerrilla warfare or organized warfare been led by those who are completely loyal to, or follow, the Moscow party line? Did it begin about 1930? Did it begin in the 1920's? Did it begin in the 1940's, so far as information that you may have picked up is concerned?

Dr. LATTIMORE. My general understanding, sir, is that Mao Tsetung, the present boss of party matters among the Chinese Communists, only really came to top control about 1937; that is, that prior to that there were a great many factional disputes among the Chinese Communists themselves; that since then he has been, and so far as I can see, since then the liaison of thinking, at least, between the Chinese Communists and Russians has been pretty close, as close as it could be.

Senator HICKENLOOPER. So that he, at least, as the leader, the present leader and the leader since about 1936 of this Communist activity in China, has been completely in sympathy with the Moscow-dominated Communist movement? Would you say that that is the general belief in China?

Dr. LATTIMORE. I would say that that is the general belief among American experts on China. I haven't been in China since 1944—no, 1945—so I am not closely in touch with the development of current thinking among the Chinese in China.

Senator HICKENLOOPER. Would you say that when you were in China at that time, the last time, either 1944 or 1945, that that was the current belief, let's say on the street, for want of a better term, about the leader of the Chinese Communist movement?

Dr. LARRIMORE. When I was last in China talking with Chinese, who, of course, were non-Communist and anti-Communist Chinese, the general assumption was that the top leadership of the Chinese Communists would keep in step with the Russians, but that factions might develop which would be hostile to the close Russian line.

Senator HICKENLOOPER. Was that at the time Mr. Wallace, who was then Vice President, was over on his mission?

Dr. LARRIMORE. Mr. Wallace was over there during the war, and certainly I should say that was the prevailing belief among top Chinese in Chungking.

Senator HICKENLOOPER. That was the time that you were assigned to him as a member of the OWI in your official capacity; is that correct?

Dr. LARRIMORE. That is right, but I cannot speak authoritatively on that, since I was not present at his top-level interviews with Chinese personnel.

Senator HICKENLOOPER. That leads me to this question, Dr. Lattimore. Do you believe that at that time, or did you believe at that time, that the so-called Communist movement in China was simply an agrarian revolution for the purpose of redistributing the land in China, or did you believe at that time, and do you think, that there was ample evidence to indicate, that it was a Communist movement in complete sympathy with the communism as directed from Moscow? I am talking about the Russian-dominated communism.

Dr. LARRIMORE. Senator, I have never believed, nor have I been able to find in my writings anywhere that I stated, that Chinese communism was merely agrarian radicalism. In a book that I published in 1932, I believe I recall offhand that I dismissed the Chinese Communists as being mainly something like the Peiping rebellion of a century ago, but soon after that I rapidly began to modify my opinion. What I have said about the Chinese Communists repeatedly is that the agrarian problem was the main problem in China, and the Chinese Communists were profiting by exploiting it, but I have never been guilty of the kind of political oversimplification that I can quote here from one of Mr. McCarthy's—Senator McCarthy's—informs; one of Senator McCarthy's experts on communism appears to be Miss Freda Utley, and I quote from her book, *China at War*, published in 1939, page 254:

Moreover, the Chinese Communist Party long ago abandoned the dream of establishing its own dictatorship. Now that its social basis is amongst the peasants of the most backward provinces in China, and amongst the middle-class youth and the liberal reformers, its aim has genuinely become social and political reform along capitalist and democratic lines. The Chinese Communists have become radicals in the English nineteenth-century meaning of the word.

That is one of Senator McCarthy's Communist experts.

Senator HICKENLOOPER. I would like to ask you this, whether or not it was not apparent in China and other places that it was the desire of the Communist Party to create the impression, by way of lulling the rest of the world into security, perhaps, that this was simply an agrarian revolution, and that it was not a Moscow-dictated

revolution. Wouldn't you say that that was a part of the Communist propaganda, to create that impression in order to minimize the so-called danger of Communist expansion?

Dr. LATTIMORE. It may well have been, Senator, but I never concerned myself primarily with that. What always struck me as typical and important in dealing with political situations in China was that these problems existed which the Communists were exploiting. My belief was that the Kuomintang was in a much better position to deal with the same problems, and that if only the Kuomintang would put in some comparatively modest and mild reforms it would completely take the steam out of the Chinese Communists, and that is what not only I, but so far as I know every American expert attached to various parts of the Chinese Government was always urging over there.

Senator HICKENLOOPER. What reforms did you advocate that the Kuomintang put into effect and failed to put into effect that the Communists put into effect in the territories which they took over in China?

Dr. LATTIMORE. One of the obvious reforms which has been mentioned in a number of books was that the Nationalist Government itself passed a law limiting land rent to 87½ percent. It never enforced this law. Rents were being collected at the rate of 80, 70, and even more percent.

Senator TYNDERS. Of the capital?

Dr. LATTIMORE. No, sir; of the annual crop.

In a number of areas into which the Communists infiltrated all that they did at first was not to expropriate land, but merely to enforce the land law which the Government did not enforce, and I and others pointed out to people in the Chinese Government that they simply could not afford to let this kind of thing go on, that they must get going with reforms that would actually extend into the life of the people, and not simply remain on paper at Chungking.

Senator HICKENLOOPER. Then is it a fact that when the Communists came into control of the territory in China they reduced taxes and enlarged the liberties of the people?

Dr. LATTIMORE. Senator, I have never been in a Chinese territory at the moment that the Communists came in and took over. Judging from the literature of the subject, they have practiced varying methods at various times. At times they have adopted simply reduction of rent, and at other times they have resorted to outright expropriation. You must always expect a Communist to act with a certain amount of opportunism in things like that. It depends on how much they think they can get away with at the moment.

Senator HICKENLOOPER. Now the Russian Government, or the Soviet, either is in the process of negotiation or has negotiated, rights in several of the specific ports in the territory of China; that is, continental China, is that correct?

Dr. LATTIMORE. So I understand, sir.

Senator HICKENLOOPER. And these negotiations have been carried on with the present so-called Chinese Communist government. Does that indicate to you that Russia, or the Soviet government, is moving into a comparatively permanent establishment or seizing a permanent hold on the economy of the Communist government in China?

Dr. LATTIMORE. As I indicated in my statement, Senator, wherever the Russians get a foothold of that kind I think they are extremely unlikely to be dislodged easily. I therefore think that it is a great tragedy that they are able to make those advances under the cover of a popular feeling in China, which the Chinese Communists are able to exploit, that this is necessary in order to defend China from the assaults of American-supplied planes and the navy of Chiang Kai-shek.

Senator HICKENLOOPER. Is it your view, as a result of your experience in China, that the Chinese Communist revolution was successful as a result of the Chinese people themselves, or as a result of Russian support in one way or another of the Chinese cause?

Dr. LATTIMORE. I think, Senator, that I have more than once made it clear in print that I do not think that the triumph of the Communists in China was due to either of those processes, primarily; that is, it was not due to the Chinese people electing to follow the Communists, nor was it due to the Russians. It was in the main a negative phenomenon, that the people became so totally disillusioned and disgusted with the Kuomintang government that they backed away from it and in backing away from it found themselves in the arms of the Communists.

Senator HICKENLOOPER. Now, Dr. Lattimore, did you support in 1945 and 1946 or 1947 the theory that a coalition government should be formed in China, and that Communist representatives should be taken into the Government in important offices along with officers of the so-called Chinese Nationalist Government?

Dr. LATTIMORE. I did, sir. In that respect I very closely followed and agreed with the opinions formed by General Marshall, summarized in his report to the President of January 1947.

If I may summarize, it appears to me that General Marshall went out to China and, with the quick eye of the magnificent strategic analyst that he is, he understood that he was in a situation in which salvation was impossible and salvage was all that could be hoped for. He therefore endeavored to salvage as much of the situation as he thought was possible with the resources of the National Government and the support of the United States Government. I do not think any man could have done an abler job. I am very sorry that he failed. Incidentally, I supported him wholeheartedly in his policy at that time when the Communists were vilifying him as a crook and a double dealer.

Senator HICKENLOOPER. And that was about the same recommendation that Mr. Henry Wallace made when he came back?

Dr. LATTIMORE. I don't know, sir, what recommendations Mr. Wallace may have made when he came back. I do know that at that time, or during the war years in Chungking and certainly about that time, many Americans in our diplomatic and military service were becoming alarmed about the situation in the National Government of China. They were already afraid that the rot had gone on so far that that Government would not be able to capture the imagination of the people at the end of the war. They were already making warnings; you can read some of those warnings clearly set down in the State Department's white paper. I am terribly sorry that they were right, but the fact is that they were right. They were intelligence officers doing

exactly what the military and diplomatic services required of them, namely, finding out what the score was, instead of indulging in wishful thinking, and some of them I regret to say have been politically crucified for doing an honest job of work.

Senator HICKENLOOPER. It was at about this time that Secretary Marshall made his trip over there and his recommendations that the United States began to withdraw its aid from Nationalist China. Wasn't it about that time—that is, that it began to lessen its aid and began the policy of completely pulling out of China, which eventuated here a few months ago?

Dr. LATTIMORE. As I recall, Senator, General Marshall went out at the end of 1945 after the war was already over. He began to negotiate on a basis of compromise and reform that would not only keep the National Government in power but strengthen its power. So far as I recall, there was no sudden cutting off of aid to Chiang Kai-shek.

Senator HICKENLOOPER. Wasn't there a period of about 10 months when it was our announced policy that we would not further aid the National Government of China, and then we changed it and for a time sent in some trickles of supplies to Nationalist China?

Dr. LATTIMORE. As I recall, Senator, there was a period of about 10 months in which there was a cessation of issuing export licenses, which was not called an embargo, from the United States, but during the same period very large supplies of American equipment were made available from dumps in the Pacific islands, India, and so forth. These included especially motor vehicles which were of great value to the Chinese Government, and according to the testimony of our top military representatives in China, the Nationalist armies were never defeated for lack of ammunition or supplies.

Senator HICKENLOOPER. And during this period the Chinese Communists had turned over to them the captured Japanese supplies which the Russians had captured upon the surrender of the Japanese troops up in Manchukuo, or those territories, is that correct?

Dr. LATTIMORE. There are two aspects to that question, Senator. One is that of course the Russians turned over supplies. At the same time, all supplies surrendered to Americans inside the Great Wall were turned over to the Chinese Government, and I seem to recall a statement by General Marshall to the effect that the Japanese arms which we supplied exceeded in quantity those which the Russians supplied.

Moreover, the Russians seemed for once to have been fairly clever in Manchuria; that is, instead of indulging in the cruder kind of Communist tactics, they turned over their arms largely simply to the village people. The National Government then made one—

Senator HICKENLOOPER. May I ask—

Dr. LATTIMORE. Of its usual mistakes. It trusted these people, and they lined up with the Communists.

Senator HICKENLOOPER. Isn't it a fact that the Russians had a policy of organizing revolutionary groups in villages under leaders, turning over the arms and equipment so that those revolutionary groups would go out from those small villages and territories and capture some more territory?

Dr. LATTIMORE. I do not know how they worked that in Manchuria, Senator. The Russian policy, I should think, would be in some cases simply to distribute arms and cause confusion, and in

other cases to distribute arms in a more organized way. One can certainly expect the Russians to do everything they could to capitalize on the situation.

Senator HICKENLOOPER. At about what time did you first become convinced that it was futile for us to continue aid to Chiang Kai-shek or the Nationalist Government of China, and that we should pull out?

Dr. LATTIMORE. I think, Senator, that as early as 1945, the end of the war with Japan, I was very much afraid that a resort to civil war on the part of the Nationalist Government in order to restore unified control over China would end in disaster and end in a more Communist situation rather than a less Communist situation.

Senator HICKENLOOPER. "Resort to civil war"—would you amplify that a little bit? You said "a resort to civil war by the Nationalist Government of China." Do you mean organization of revolting groups within China?

Dr. LATTIMORE. No; I mean the insistence that all armed forces in China must surrender to the National Government without negotiation; that all the people everywhere in the part of China liberated from Japanese control must submit to the orders of the National Government, instead of being allowed to elect their representatives to the National Government, and so on.

I was very much afraid that any authoritarian attitude of that kind would start driving people into the arms of the Communists.

Senator HICKENLOOPER. Were you familiar with the at least alleged attitude of Chiang Kai-shek that you could not do business with the Communists, you couldn't trust them, and if they got their heads into the tent the camel would soon be clear in and take the tent over?

I have never met Chiang Kai-shek. I don't know what his personal attitude is, but it is generally reported that that has been his firm attitude, that the Communists cannot be trusted, that there can be no dealing with the Communists because they do not deal on a basis of keeping their word or keeping their promises, and that it was futile and fatal to China to attempt to deal with the Communists and take them into the Government. Were you familiar with that attitude?

Dr. LATTIMORE. I wasn't Chiang Kai-shek's political adviser for a year and a half for nothing, Senator, and I was thoroughly familiar with that attitude and I agreed with him. I didn't think that it would be possible to settle anything in China by getting the generalissimo and the top Communists into one room and writing out an agreement. It seemed to me that the only thing that would strengthen the position of the generalissimo was not an agreement of that kind, but going to the people of China with some kind of a program that would bring their support around behind him, instead of driving them into the arms of the Communists. If he had had enough of the people on his side, he could have negotiated with anybody in perfect security. But when his subordinates were committing excesses of corruption and brutality that were driving people into the arms of the Communists, he was doomed.

Senator HICKENLOOPER. Weren't there excesses of brutality and corruption on the part of the Communists recorded in China?

Dr. LATTIMORE. There were considerable excesses of brutality on the part of the Communists, and in varying periods and varying geographical regions. I have mentioned something about that prob-

lem in a book of mine published in 1944 called *The Making of Modern China*. However, it seems to be the general opinion of American observers that the Communists have been much freer of corruption than the National Government. Both sides have resorted to massacre and that kind of thing, but the Communist government has, by general testimony, been more honest.

Senator HICKENLOOPER. Then let me get your opinion straight. I understood you a while ago to say that you supported the policy of bringing the Chinese Communists into the government along with the Nationalists in a coalition government.

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. Then I understood you to say that you were familiar with Chiang Kai-shek's attitude that you could not do business with the Communists, and that you supported that policy. I think probably there is a very plausible explanation for it, but would you amplify that? How can you reconcile the two ideas?

Dr. LATTIMORE. The point is this, Senator, that up to the time that I resigned as Chiang Kai-shek's political adviser, namely the end of 1942, there was still time for preliminary reforms. But by the time that General Marshall was negotiating in China most of the opportunity had been lost. Millions of people had already gone over to the Communists. And if the Communists had the support of X million people, you had to negotiate with them to that extent, not because they were honest, not because they were Communists, but because they had that amount of support, and from then on the only way in which to salvage the situation was to get going in China something that had never existed before, but at least enough of the beginnings of parliamentary democracy so that the people could begin to change their own leadership. That was the only way to get at the people behind the Communists.

Senator HICKENLOOPER. And it became apparent to you at that time, did it not, that if Chiang's forces of government continued to deteriorate, he would eventually be defeated in China, is that correct?

Dr. LATTIMORE. That is correct.

Senator HICKENLOOPER. And a substantial factor in Chiang being able to sustain himself at least during a certain period after the war was the aid he was getting from America. Was that an important factor?

Dr. LATTIMORE. I think, Senator, that would be difficult to prove. It could be argued that reliance on American support made the worst of the people who surrounded Chiang Kai-shek unwilling to concede reforms. There is also the fact that so many of the American-equipped and American-trained forces surrendered to the Communists en masse with their American arms, so I think it would be very difficult to argue that the factor of American support was what enabled Chiang to survive as long as he did.

I mean, I think the American support was in the end destructive of him, rather than supportive of him.

Senator HICKENLOOPER. Then, of course, we did finally pull clear out of active aid to China, and the policy was announced early this spring or late in the winter of withdrawing support. Today would you say that the mainland of China is quite completely under the dominion and control of the Communist government of China?

Dr. LATTIMORE. I should say that today the mainland of China is so completely under the control of the Communists that it will be impossible for Chiang Kai-shek to come back from Formosa and recover the mainland. There will, however, probably for years, continue to be a certain amount of internal disturbance on the mainland of China, but the possibility that that internal disturbance could be politically captured by Chiang is not a good political bet.

Senator HICKENLOOPER. When did you conclude that the fall of Chiang Kai-shek on the mainland of China was inevitable?

Dr. LATTIMORE. I should say—I am trying to see how closely I can date this—early in 1947, soon after General Marshall's return from China.

Senator TYDINGS. I would like to know what the pleasure of the committee is. It is now 1 o'clock. What would be your idea about the continuance of the hearing?

Senator McMAHON. Come back at 2:30.

Senator TYDINGS. Senator Green, is 2:30 satisfactory to you?

Senator GREEN. Entirely. I would also in that connection like to ask whether this is an investigation of disloyalty?

Senator TYDINGS. How about you, Dr. Lattimore? Would that meet with your convenience?

Dr. LATTIMORE. Senator, I am completely at your disposal.

Senator LODGE. How long would you plan to run this afternoon?

Senator TYDINGS. It would depend a good bit on how much the committee wants to question Dr. Lattimore.

I would like to say this, that this committee is set up to investigate disloyalty in the State Department. I take it that Dr. Lattimore has never been an employee of the State Department, but he has had an auxiliary connection with it and been paid by the State Department while he was on a Presidential mission. For that reason I think we should lean over backward lest we be charged, as we have, with not wanting to bring in everything that is pertinent. But my colleagues have the right to ask any questions they want. I have no more to do with this committee than they have, but I would like to point out, if I might, with all good will, that our primary mission here is to find out whether the charges made against Dr. Lattimore are true or false, to wit, that he is the head Red spy in America and to wit, that he is a Communist; and I think we ought to confine ourselves more to that phase of it. That is what we were created to find out, rather than to go into these opinions, which, if I may express my own opinion, seem a bit extraneous to the inquiry. However, that is just my opinion. I have no control over the questions.

I am going to suggest, therefore, that when we do meet we try to get back on the ball a little bit more so that we can get through with him.

While we are at it, Dr. Lattimore, Senator McCarthy told me yesterday that he had some witnesses that he hopes to get before the committee. He said he is going to notify me Tuesday morning of the names of these witnesses, so I may issue subpoenas to bring them here. I do not know whether these are witnesses who are going to appear against you or someone else, but you are invited—you and your attorneys—to be present at all these hearings where we have these witnesses, in case your name is involved.

Senator LORAN. For the purpose of your own plan, I would like to say that I presume that Dr. Lattimore will be available for the next few weeks for questioning in executive session. Is that not right?

Dr. LATTIMORE. I am entirely at the disposal of the committee, Senator.

Senator TYDINGS. I think most of the cross-examination—in fact all of the cross-examination—that I will want to do will be in executive session. There will, however, be a few questions that I would like to ask him today on the record, which will take only 3 or 4 minutes.

Senator TYDINGS. After we have concluded our hearings dealing with those persons who have been openly accused and who obviously ought to have a right to openly defend themselves, it is the hope of the chairman that the committee will sustain him in the point of view that we will have the remainder of our sessions in executive session. However, if names are mentioned publicly, charged with any offense, we feel we must give them the opportunity to deny these charges publicly. But I think we have gone far enough in it now to know that this is not the wisest way to make this inquiry, and after these people who have been accused all have had their opportunity to file written statements or to come personally before the committee in open session, I am very hopeful that we can get along with our business by taking the circus attitude away from this and go on with our real investigation of disloyalty in the State Department.

Senator HICKENLOOPER. Mr. Chairman, because there may be some implied criticism of my questions—

Senator TYDINGS. No.

Senator HICKENLOOPER. Of Dr. Lattimore in what you said, I want to call your attention to the fact that this is an investigation. I don't approach Dr. Lattimore or any other witness with any predetermination for either side. But I do believe that as long as this issue has been drawn, so long as certain allegations have been made, so long as Dr. Lattimore is here, that it is not only in the interest of fairness to him but to the whole investigation that he be given the fullest opportunity to canvass any matters of allegations that either Senator McCarthy has canvassed or that he has canvassed. It is in that spirit that I am approaching him. I want to find his views.

The allegation is made that he is an insidious fellow. I am not approaching it from that standpoint or from any other standpoint. But I think that bearing on that question very pertinently are his views and opinions and the whole background. I think it is extremely pertinent and it would be my opinion that Dr. Lattimore would welcome an opportunity to express himself on these things. I am happy to give him an opportunity by way of questioning, and to also answer questions in my own mind.

Senator TYDINGS. I would like to say to my colleague I implied no criticism. It was really just an attempt, as I saw it, to get back a little more on the beam. But every Senator is the keeper of his own responsibilities under this resolution, and certainly I can be just as wrong in my own opinions as any other member of the committee. I stated it for whatever it is worth.

We will take a recess until 2:30 this afternoon.

(Whereupon, at 1:05 p. m., a recess was taken until 2:30 p. m. of the same day.)

AFTERNOON SESSION

Senator TYDINGS. The committee will come to order.

While we wait for Senator Hickenlooper to return and continue his examination of Dr. Lattimore, Senator McMahon, of Connecticut, a member of the committee, tells me he desires to ask one or two questions.

Senator McMahon?

Senator McMAHON. Dr. Lattimore, you mentioned, in the course of your testimony, a man named Kohlberg.

Dr. LATTIMORE. K-o-h-l-b-e-r-g.

Senator McMAHON. Who is Kohlberg?

Dr. LATTIMORE. Senator, I don't rightly know. He pretends to be an expert on me, but I do not want to pretend to be an expert on him, or his origin, previous history, and so on. All I know is that he is a man that has had it in for the Institute of Pacific Relations for a long time, has attacked it, and has, over the years, built up a long story of allegations against me, and I found it curious and interesting that in Senator McCarthy's charges, so many of the charges were taken parallel, word for word from charges that Kohlberg had made, that had proved to be wild allegations years ago.

Senator McMAHON. Have you ever met him?

Dr. LATTIMORE. Never met him, sir.

Senator McMAHON. Have you any mutual acquaintances that you know of?

Dr. LATTIMORE. Well, some of the people connected with the Institute of Pacific Relations must have met him personally. I mean, he was at one time a member of the Institute of Pacific Relations, and he conducted this proxy fight in the Institute of Pacific Relations. So, other people connected with the institute must have met him.

Senator McMAHON. Well, as far as you know, has he been in business in the Far East, has he any far eastern interests?

Dr. LATTIMORE. Yes, sir, as far as I know; he used to be an importer of lace from the coast of China. That is an industry in China in which child labor is very extensively employed, and it provided a cheap commodity for importation into this country.

Senator McMAHON. Does he live in China, or has he lived in China?

Dr. LATTIMORE. I know that he has been on visits to China. I doubt if he has ever lived in China. I doubt very much if he knows a word of Chinese.

Senator McMAHON. Now, who is this man Goodwin that you talked about?

Dr. LATTIMORE. He is a man, sir, who has connections with the Chinese Nationalist Government—the—what is it, now—there is a representation here of the National Resources Commission of the Chinese Government; and, there is also a Chinese Information Service. He is connected with all of those.

Senator McMAHON. Is he a lawyer by profession, do you know?

Dr. LATTIMORE. I don't know, sir.

Senator McMAHON. Have you ever met him?

Dr. LATTIMORE. No, not to my knowledge.

Senator McMAHON. You made some point of the fact that he was retained at a salary that you gave as twenty-some-odd-thousands, and corrected it to 36,000.

Dr. LATTIMORE. That is right.

Senator McMAHON. What is his importance? Why do you refer to him in your testimony?

Dr. LATTIMORE. Because I understand that he is registered as a lobbyist, connected with a foreign power, and therefore has to register in that way; and, I understand that he is connected with Kohlberg and various other people who have been conducting this campaign to secure all-out aid to General Chiang Kai-shek, and to accuse anybody who doesn't support Chiang Kai-shek of being anti-Kuomintang, and has distributed Kohlberg's material. This man Kohlberg gets out a lot of mimeographed material, and Goodwin has been distributing it for him.

Senator McMAHON. How do you know that?

Dr. LATTIMORE. I have seen some of the material, sir.

Senator McMAHON. Well now, is that all the connection that you can give us about Kohlberg and Mr. Goodwin with this business? Do you know of any other connection that is evident, as far as you are concerned? Are they around Washington, as far as you know?

Dr. LATTIMORE. I don't know whether Mr. Kohlberg maintains offices here. I understand his residence is in New York. I think a little inquiry might show that both he and Goodwin have been around, while Senator McCarthy was preparing his material. I think it will be interesting to look into that.

Senator McMAHON. Is that a suspicion, or do you have some evidence upon which you base that suggestion?

Dr. LATTIMORE. I am simply very much interested in this extraordinarily close parallel between the Kohlberg charges and the McCarthy charges.

I presume that Mr. Goodwin, being a lobbyist for the Chinese Government, has some sort of headquarters here in Washington, and I understand that they are at the Metropolitan Club, that he operates from there.

Senator McMAHON. The Metropolitan—

Dr. LATTIMORE. Metropolitan Club.

Senator McMAHON. I am a member of that club.

Dr. LATTIMORE. That was stated in a story in the St. Louis Post Dispatch.

Senator McMAHON. Well, is it your feeling that Kohlberg and Goodwin, I do not wish to put words in your mouth, nor do I wish to draw deductions, but I want to get it clear—are you implying that Kohlberg is behind these charges against you?

Dr. LATTIMORE. Kohlberg has been making charges against the Institute of Pacific Relations for years. They very frequently involve me.

Then these recent charges by Senator McCarthy, they not merely hash over but even reproduce verbally the same charges. I have a feeling that Kohlberg is in there trying to get Lattimore.

Senator McMAHON. Well now, if I felt that way, I would certainly try to know everything that I could about Kohlberg, and frankly you do not seem to have done very much investigating of his background and his activities.

Dr. LATTIMORE. Senator, several years ago he published an attack on me in a magazine called "Chinese Monthly," published here in Washington.

Senator McMAHON. What do you call that?

Dr. LATTIMORE. Chinese Monthly, and I wrote to the editor of that magazine, I have forgotten his name now, and asked for a chance to put in a rejoinder, in which I pointed out his inaccuracies, and so forth; but, that is the only step I have taken. I felt that I was a man with a perfectly clear and open record, and that if people were going around making malicious charges of this kind, probably the most dignified thing to do was simply to ignore them.

Senator McMAHON. It might be dignified, but it was not very sensible.

Dr. LATTIMORE. Well, Senator, Kohlberg is a very wealthy man. If he wants to make it a hobby to go after a man like me, he can afford it. A man like myself cannot afford to put a lot of money into doing the same kind of thing that he is trying to do to me.

Senator McMAHON. Do you know anything about Kohlberg's relations with the present Nationalist Government of China?

Dr. LATTIMORE. Well, I have never heard that he has registered as a lobbyist, or anything of that kind. He is a man of private means and can afford to do what he likes. I certain, judging by the tone of his mimeographed releases which go out over and over and over again all the time, his fanatical support of the Nationalist Government—

Senator McMAHON. But, you know nothing of any relations that he has with any Chinese officials?

Dr. LATTIMORE. I have no evidence, sir. As I say, I have not gone into the matter.

Senator McMAHON. Have you ever transmitted any intelligence of any kind to any intelligence officers of the Soviet Government?

Dr. LATTIMORE. Never.

Senator McMAHON. On any subject?

Dr. LATTIMORE. On no subject.

Senator McMAHON. Has anyone ever identified, or been identified to you as an officer of the Soviet Government's Intelligence Service, or an agent of the Soviet Government?

Dr. LATTIMORE. I have met members of the Soviet Government, for instance, when I was on the trip with Vice President Wallace. Naturally, Soviet officials were assigned to accompany the mission. I had met people at the Soviet Embassy here. I went and called on Ambassador Litvinov, for instance, when he was Ambassador here, and I was adviser to the Generalissimo. I have met people, of course, that I know were agents; that is, employees or members of the Soviet Government, and, of course, I always assume that anybody who is in the employ of the Soviet Government is also within the ramifications of the Soviet Intelligence Service.

Senator TYDINGS. Senator Hickenlooper, would you care to continue your examination?

Senator HICKENLOOPER. Senator Lodge has to catch a plane, and I would like for him to ask such questions now as he may have.

Senator TYDINGS. Senator Lodge?

Senator LODGE. Can you tell us a little something about your biography, education, where you were born, and so forth?

Dr. LATTIMORE. I was born, Senator, right here in Washington, D. C. My parents went out to China in the year 1901. I was born in 1900. My parents went out in the year 1901 when I was less than a year old.

My father was teaching in the Chinese Government Educational Service, first in college, and then, universities. I remained in China until I was about 12 years old, going on 13, and then my mother took me and several other children to Switzerland. My father's idea was that I should get a good start in French and German, and then come on home for my high school and college education.

Those plans were interrupted by the First World War. I happened to be caught in England on a summer's vacation when the war broke out. Owing to that accident, I remained in England for 5 years, while my mother took the other children back to China. So, I was in school in England for 5 years.

Then, at the age of 19, I went back to China. I first went into a business firm, one of the old-line British firms there. Then, I left that and took a job for a year on a newspaper in Tientsin; then, went back into business, and I remained in business for another 5 or 6 years—about 6 years.

I got rather restless with the ordinary treaty-port life in China. I worked very hard to acquire the Chinese language, or to reacquire it. I had known it in my childhood, and I used to do a lot of trouble shooting for my firm, that is, up in the interior when things went wrong there, I would go up and find out what—

Senator LODGE. What kind of firm was it, Dr. Lattimore?

Dr. LATTIMORE. We used to export from China wools, straw braid, sheep casings, hogs' bristles, anything that China exported, and we were agents for the importation of machinery, dyes, cotton goods, anything that China imported.

Consequently, in the course of this work, especially as I specialized in work in the interior, directly with the Chinese merchants, I got a considerable down-to-earth knowledge of the way Chinese economics worked.

I have often felt it to be a great advantage since, that when theoretical questions of Chinese economics come up, I always think back to some particularly tough problem that I was assigned to by my firm, and I remember how the problem worked, and what the men were like that did it, and so on.

Senator TYDINGS. Doctor, will you speak a little louder, please, because some of the newspapermen tell me they are having a little difficulty following you.

Dr. LATTIMORE. Surely.

Finally, as the result of this work, one time I got up to the end of the railway where the caravans were coming down from central Asia with wool. There was a civil war on, and my assignment was to maneuver the trainload of wool through a Chinese civil war, which I eventually managed to do. But, I was most interested in seeing—these camels came all the way down from central Asia, 1,200 or 1,500 miles, and there the camels met by the side of this modern railway siding and unloaded and I thought--this is terrific, this is the end of the modern railways, where the modern way is meeting with the Marco Polo age and I thought about that, and our agents over there

didn't know anything about it, they simply took it over from the caravans.

It was becoming obvious to me at that time that the whole nature of business of the Chinese was going to change, and I talked about it with the people of my firm, but they were carrying on the old way, and they were not interested in innovations much, so I resigned from the firm and I went upon my own, into the interior.

I went up, hired some camels and traveled with the caravans, like a caravan man, smack through Mongolia to Chinese central Asia. I had just been married. I was not sure about getting into central Asia, this was a closed province then, so I didn't take my wife on that part of the trip.

Sure enough, I was arrested when I got to the frontier, and first I was accused of being a Japanese agent by the border guards, and then some very bright fellow noticed my beard and said "No," that I was a Russian agent. So, it took me a couple of weeks to talk my way out of jail there, and get into the province and talk to the governor, and he was fine. I sent for my wife and she came around through Siberia and joined me.

Incidentally, the Russians gave her a transit visa to go and join her husband, but when I got to the frontier and asked for a visa to go to the railhead and meet her, I was refused. That was my first refusal of a visa from the Soviets, and the consequence was that my wife had to travel 400 miles by sled in a February blizzard, from the end of the railhead to where I was, to the Chinese border where I was at the time.

Senator LODGE. What year was that?

Dr. LATTIMORE. That was in 1926. We were in Sinkiang in 1927.

Senator LODGE. How much time were you in China, after the end of World War II?

Dr. LATTIMORE. After World War II?

Senator LODGE. Yes; how much time did you spend in China, say, from 1945 to the present time? How much time have you been in China?

Dr. LATTIMORE. Practically none at all, sir. When I was in Japan on the reparations mission, in the winter of 1941, I went over with some of the other members of the mission, very briefly, and spent a day or two in Shanghai, and a day or two in Peking, just about the 31st of December and New Year's Day, 1946. I have not been in China since.

Senator Lodge. So you have had no opportunity to observe the Communist army.

Dr. LATTIMORE. Except for that one brief trip, up to Yenan, that I told about, in 1937, I have never been in a district that was being run by the Communists. I have never witnessed a district being taken over by the Communists. I have no first-hand knowledge.

Senator Lodge. In your prepared statement, on page 36, you say this—and I quote:

As the air assaults increase, with United States planes launched by Nationalist forces from Formosa upon the mainland of China—

It is true, is it not, that that is precisely the situation, what is being done at the present time!

Dr. LATTIMORE. I am sorry to say, that is precisely what is being done. The effect is to back the Chinese up against the Russian frontier and provide a situation in which the Communists in the Government can cover up the whole business of bringing in Russian airmen, and so forth, by saying to the people, "We have got to do this to stop this awful bombing."

Senator LODGE. In view of the fact that these United States planes are being used to attack the mainland of China, you say "there is danger—if it is not already a fact—that the Chinese Government, with the backing of many of the Chinese people, will invite the Soviet Union to establish air bases and to engage actively in the air war."

You think it is just a danger, or do you think it has actually happened?

Dr. LATTIMORE. I say it may be a fact, sir. The reason I put it that way is, just as I was leaving for Afghanistan at the beginning of March, reports were beginning to come through of the Russian bases being established at Shanghai. Even in the short time since I have been back, although I have not had much time to read the papers, I did see a brief dispatch from the Nationalist side saying that a couple of their planes had been shot down off Shanghai, and that they were sure, by the maneuvering of the planes, that they must have been flown by the Russian fliers. That is as definite as it is, but I think you may be on the edge of a revelation that that is the fact.

Senator LODGE. If the Russians establish air bases in Shanghai and other places in China, is it not a fair guess that they will stay there for a long, long time?

Dr. LATTIMORE. So I said in my statement, sir.

Senator LODGE. Where were you during World War I?

Dr. LATTIMORE. In England, sir.

Senator LODGE. As a student?

Dr. LATTIMORE. As a schoolboy, from the age of 15 to 19.

Senator LODGE. Were your father and mother born in the United States?

Dr. LATTIMORE. My father and mother were born also either in Washington or very close to it.

Senator LODGE. Well, next week I am going to probably want to cross-examine you in executive session, and I understand you will be available for that?

Dr. LATTIMORE. Surely, sir.

Senator LODGE. Thank you.

Senator TYDINGS. Before Senator Hickenlooper begins, Senator McMahon advises me that he has one question, or some more, that he would like to ask.

Senator McMAHON. It is just this question: If Mr. Kohlberg is in the room, I wish he would stand up and identify himself.

Senator TYDINGS. If Mr. Kohlberg is in the room, will he kindly stand? If he is standing, will he hold up his hand so that he can be identified?

(There was no such person identified.)

Senator McMAHON. Is Mr. Goodwin in the room?

Senator TYDINGS. If Mr. Goodwin is in the room, will he please stand, and if he is standing will he hold up his hand so that he can be identified.

I take it that neither of the gentlemen are in the room, or if they are, they are incognito.

Senator McMAHON. That is all; thank you.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. Dr. Lattimore, we will pursue a little further the questions I was asking you just before we adjourned for lunch.

I believe you advocated that we get out of Korea. If I pursue the question, it is to get an answer for the record rather than to have a nod of the head, which the reporter cannot get.

Dr. LATTIMORE. I was wondering if you were going to elaborate that question, Senator.

Senator HICKENLOOPER. No. I will ask you if you are not advocating, and did not advocate in the memorandum to the State Department in October that we should get out of Korea.

Dr. LATTIMORE. Yes. As I remember, the way I phrased it in that memorandum was that we should disentangle ourselves as quickly as possible from Korea. I believe that to be necessary because, unfortunately, things have so developed in Korea that it is now being run by a very small and apparently unpopular and arrogant clique, so that we are in the position of backing, as I have also said, a little Chiang Kai-shek.

The accounts that I have seen from Korea, I mean press accounts, and speaking with people who are back from Korea, would indicate that we are there in a position which is, I think, untenable for a democracy. That is, we are bucking an inefficient police state against the ruthless and efficient police state of the Russians in North Korea. I am afraid that if that situation goes on, it will only mean a cumulative loss of prestige for us, and a very dangerous advertisement for us in the rest of Asia.

Mr. FORTAS. Mr. Chairman, and Senator Hickenlooper, if you will excuse me, perhaps we should offer the memorandum that has been referred to, for the record.

Senator HICKENLOOPER. All I have is the newspaper clipping that I tore out.

Senator TYDINGS. How long is the memorandum?

Mr. FORTAS. It is quite long, Senator, about eight and a half pages.

Senator TYDINGS. Unless somebody wants to hear it read—

Mr. FORTAS. It will be put in the record, please, sir?

Senator TYDINGS. It may be put in the record in this place in the examination.

(The memorandum is as follows:)

MEMORANDUM—UNITED STATES POLICY IN THE FAR EAST

(By Owen Lattimore)

(Submitted to the Honorable Philip C. Jessup, Mr. Raymond Fosdick, and Mr. Everett Case, in response to Mr. Jessup's request of August 18, 1940)

In clearing the way for a fresh approach to the problems of United States policy in the Far East, several negative statements can usefully be made.

1. The type of policy represented by support for Chiang Kai-shek does more harm than good to the interests of the United States, and no modification of this policy seems promising. Chiang Kai-shek was a unique figure in Asia. He is now fading into a kind of eclipse that is regrettably damaging to the prestige of the United States, because the United States supported him. His eclipse does not even leave behind the moral prestige of a good but losing fight in defense of a

weak cause. On the contrary, he put up the worst possible fight in defense of a cause that was originally strong and should have won. The kind of policy that failed in support of so great a figure as Chiang Kai-shek cannot possibly succeed if it is applied to a scattering of "Little Chiang Kai-sheks" in China or elsewhere in Asia.

2. China cannot be economically coerced by such measures as cutting off trade. Nothing could be more dangerous for the American interest than to underestimate the ability of the Chinese Communists to achieve the minimum level of economic stability that will make their regime politically secure. Sound policy should allow for a cautious overestimate of the ability of the Chinese Communists in this respect, and avoid a rash underestimate.

3. It is not possible to make Japan a satisfactory instrument of American policy. There are two alternatives in Japan. The first alternative is to keep Japan alive by means of American "blood transfusions" of raw materials and credits. Under this alternative, Japan can be made to put on the surface appearance of a strong ally; but the reality will be an overcommitment of American resources to a distant and vulnerable region. Under the second alternative, Japan can keep itself alive by coming to terms, economically and politically, with its neighbors in Asia, principally China. Under this alternative, Japan cannot serve as a trusted American ally. Its own interests will compel it to balance and bargain between what it can get out of Asia and what it can get out of America.

4. South Korea is more of a liability than an asset to the interests and policy of the United States. It is doubtful how long the present regime in South Korea can be kept alive, and the mere effort to keep it alive is a bad advertisement, which continually draws attention to a band of little and inferior Chiang Kai-sheks who are the scum of the Communists and have lost the respect of democratic and would-be democratic groups and movements throughout Asia.

5. The colonial and quasi-colonial countries of southeast Asia cannot be forced to grant priorities to the economic and military recovery of Europe, at the expense of their own economic and political interests. In this region as a whole there is a rapid development of combined political and military resistance to coercion which can be indefinitely sustained by local resources. On the other hand, attempts at reconquest by European countries are so expensive that they defeat their own ultimate purpose, which is the strengthening of the country attempting the reconquest. The situation can now be handled only by convincing the Nationalist leaders in those countries that any sacrifices they are asked to make are matched by sacrifices made by their former or titular rulers, and are not designed to give priority to the interests of these rulers, but to bring joint benefits both to the ruling countries and to the colonial country, on terms that satisfy the colonial aspiration to equality.

6. The United States cannot assume that Russia will move in to take over direct control in China, and will thus be subjected to heavy strategic and economic strains. It is dangerous to assume that there will be a diversion and commitment of Russian resources in Asia which will limit Russia's ability to maneuver in Europe. Recent developments in the Far East have been favorable to Russia, but not in a way that lessens the resources that Russia can deploy toward Europe. Policy toward Russia and policy toward the Far East meet at the point where such a move as the imposition of an economic cordon sanitaire around China is considered. Such a move would increase Chinese dependence on Russia; but it would probably not make it necessary for Russia to undertake a large-scale program in China. The Russians would get credit in Asia, multiplied by propaganda, for any grants they might make to China, but would probably not have to make grants large enough to distort or strain their own resources. It would be possible, therefore, if the mistake is made of waiting for the Chinese Communists to come "hat in hand" to ask for American terms, for United States policy to encounter another set-back in Asia, without even the compensating advantage of hampering Russia's ability to apply pressure in Europe.

The foregoing statements define negative aspects of the situation in Asia, limiting the freedom of maneuver of United States policy. Within these limitations, it seems advisable that a number of positive objectives should be defined.

1. Policy in the Far East and policy toward Russia have a bearing on each other. It certainly cannot yet be said, however, that armed warfare against communism in the Far East, on a scale involving a major commitment of American resources, has become either unavoidable or positively desirable. Nor can it be said with any assurance that, in the event of an armed conflict undertaken

for the purpose of forcing Russia back from Europe, the Near East would be an optimum field of operation.

There are still two alternatives before us—a relatively long peace, or a rapid approach toward war. If there is to be war, it can only be won by defeating Russia—not northern Korea, or Viet Nam, or even China. Sound policy should therefore avoid premature or excessive strategic deployment in the Far East.

If there is to be a long peace, the primary factor in making peace possible will be a stabilization of relations between the United States and Russia. Sound policy should, therefore, maintain a maximum flexibility. If and when negotiated and mutually acceptable agreements with Russia become possible, American policy in the Far East should be in a position to contribute to Russo-American negotiations. It should not be so mired down in local situations that direct American-Russian negotiations are actually hampered.

2. Any new departures in United States policy in the Far East must be able to fend off any accusation of "appeasement" of local or Russian communism. In view of the effectiveness of the Russian issue as a weapon in in-fighting in American party politics, it would seem that the advice of experts on domestic politics should be coordinated with the opinions of those who are consulted on foreign policy.

The dilemma is simple, but not easy to solve; but unless it can be solved no successful United States policy in the Far East is possible. Any United States policy that is interpreted in various countries in the Far East as pressure applied for the purpose of creating a league against Russia will merely increase the ability of those countries to bargain with both the United States and Russia. It will also increase the identification, in those countries, between local nationalism and local communism. On the other hand, any proposed United States policy in the Far East that is attacked in America itself as a bid for better relations with Russia runs the danger of being defeated.

3. The success of United States policy in the Far East will be measured largely by the contribution that it makes to the recovery of economic relations between the Far East and Europe. This recovery will be possible only if the assent and good will of the far-eastern countries are won. Assent and real cooperation, in turn, can only be won if the representatives of the far-eastern countries, including those that are still technically the subjects of European countries, are convinced that they have as direct access to the highest American authorities as do the European representatives, and if they are convinced that their economic needs and political standards are not being given a second priority, lower than that of the European countries involved in the same negotiations.

The two test cases in southeast Asia, on which the leaders of various nationalist movements will rate the difference between what can be attained through friendly association with representatives of the United States and what can be attained through outright defiance of a European country which has strong economic support from the United States are Indonesia and the Viet Nam regime under Ho Chi-minh.

If the negotiations between Dutch and Indonesians, brought about largely through benevolent United States pressure, eventuate in a settlement which seems, in Indonesia, to contain too much of hope deferred, while the resistance in Indochina under Ho Chi-minh achieves more and more of hope fulfilled, the results through southeast Asia will be adverse to the United States interest.

Heavy and primary United States commitments in western Europe made it difficult to bear constantly in mind that when the Dutch-Indonesian negotiations are consummated, the satisfaction or dissatisfaction of popular opinion in Indonesia will have wider repercussions than the satisfaction or dissatisfaction of Dutch public opinion. It is a fact, nevertheless, that Indonesian opinion is more difficult to satisfy than Dutch opinion, and it is also a fact that the repercussions will be more serious if Indonesian opinion is not satisfied than if Dutch opinion is not satisfied. These facts mark an important difference between prewar and postwar colonial Asia. They are facts that American public opinion has by no means fully accepted; but they are also facts that are critical for the formulation of an over-all United States policy in Asia.

4. The foregoing considerations indicate that the major aim of United States policy in the Far East should be to convince the countries of the Far East that they can get along well with the United States and with the countries of western Europe. They must be persuaded that they can get along well because of the mutual benefits to themselves, to the United States, and to western Europe.

They must not be made to suspect that the real aim of the United States is an ulterior aim of using them against Russia.

To put it in another way, the aim of the United States policy should be to enable the countries of the Far East to do without Russia to the maximum extent. This is a much more modest aim than insistence on and organization of hostility to Russia; but it is an attainable aim and the other is not.

A few suggestions for implementation are appended.

1. Conferences with the independent governments of the Far East, on the basis of helping them to build their own economies, to revive their trade with Europe, and to expand their trade with us. Emphasis on positive steps that can be taken. No negative conditions, such as prohibitions of trade with Russia or Communist China; no conditions that could be interpreted as American regulation of their political parties.

2. Working relations, and a refusal to be bound by protocol, with legitimate nationalist leaders in countries whose full political aspirations have not been met by their European rulers.

3. The United States should not allow any European country, in its relations with any country in the Far East, to state openly or to imply by propaganda that its policy is "backed by the United States." European representatives, in negotiating with the representatives of countries in Asia, should be discouraged from stating or implying that they are authoritative interpreters of United States policy or intermediaries without whom the United States cannot be approached.

4. It should be made clear that if there is delay or difficulty in establishing relations between the United States and Communist-controlled countries, such as China, the trouble comes from the Communist side and not from the United States side.

5. It should be made clear that friendly and beneficial relations with the United States depend essentially on the inherent friendliness or unfriendliness of the nation concerned and not on the formalities of diplomatic recognition. In order to facilitate the contrast between countries which are on friendly terms with the United States and countries which are not, the number of countries formally recognized by the United States should be increased.

As a first step, the United States should accept the list of countries recommended for admission to the United Nations by Mr. Trygve Lie, Secretary-General of the United Nations. In the first place, it would at this time be a good move for the United States to accept with good will an initiative from the Secretariat of the United Nations. In the second place, the list is on balance more favorable to the United States than to the Soviet Union. In the third place, and with particular reference to the Far East, the move would bring within the scope of United States diplomatic activity the Mongolian People's Republic (Outer Mongolia), an increasingly important potential listening-post country in the heart of Asia.

6. The United States should disentangle itself as quickly as possible of its entanglements in South Korea.

Senator HICKENLOOPER. Dr. Lattimore, are you aware whether or not the State Department takes that same attitude toward the futility of our continued occupation of Korea, or aid to Korea?

Dr. LATTIMORE. Senator, I am not in the confidence of the State Department. I believe that according to recent stories in the press, an appropriation has been voted for continued aid and support to the Government of South Korea, but as I recall, that was about or during the time I went to Afghanistan and I have not kept up on the details.

Senator HICKENLOOPER. Are you aware of the fact that the State Department represents, at least to Congress, that Korea has made the greatest progress of any similar period in its history, and is well along the road toward the establishment of a reliable self-government in Korea?

Dr. LATTIMORE. If that is true, Senator, I am delighted to hear it. I am afraid that I should require a great deal of concrete evidence to make me believe it. I am speaking simply off the cuff. I am still convinced that the existing government of South Korea has a very poor survival value.

Senator HICKENLOOPER. Do you think that it is worse, from that standpoint, than the north Korean area?

Dr. LATTIMORE. Probably not, Senator. What I am thinking of is that the Russians can get away with supporting the kind of government they have in north Korea; but, a government like ours, a nation like ours which absolutely must progress with the feeling of democratic support among peoples in Asia, simply cannot afford to tag itself with a corrupt dictatorial government in Korea, or any other country in Asia.

Senator HICKENLOOPER. Let us assume that the United States pulled out of Korea completely, disassociated itself with South Korea completely. How long do you think it would be before the Communists would completely communize all of the Peninsula of Korea?

Dr. LATTIMORE. I think it would be a matter of weeks, Senator; but I think that it would be better for us to disentangle ourselves while we can do so with an appearance of having made a policy decision of our own, rather than to eventually have the government of South Korea run out, as the government of Chiang Kai-shek has been run out of China.

Senator HICKENLOOPER. Do you believe we should now recognize the Communist regime in China as the official government of China?

Dr. LATTIMORE. If I may, Senator, I will go back to my memorandum to the State Department on that subject:

It should be made clear that if there is delay or difficulty in establishing relations between the United States and Communist-controlled countries, such as China, the trouble comes from the Communist side and not from the United States side.

It should be made clear that friendly and beneficial relations —

Senator HICKENLOOPER. Pardon me at that point. May I ask you to explain whether you mean that we should make it clear to the countries over there that we would like to recognize Communist China?

Dr. LATTIMORE. I think we should, Senator—that we should make it clear that our wish is to have friendly relations with nations and peoples. If the governments of those nations, out of political fanaticism or hostility, refuse it, that means that those nations and peoples lose the benefit of association with this country; and, in my opinion, no country can have anything but benefit by associating with us, and, therefore, if they are denied those benefits by action of their own government, then we have a clear case in which the interests of people and government diverge.

Senator HICKENLOOPER. By the same token, then, do you believe that we could get, from our standpoint, nothing but benefit from association with a recognition of Communist China, that is, the actual Government of China?

Dr. LATTIMORE. One of the basic elements in our relationships with China, Senator, is that they can put no compulsion on us. There is nothing that we have to have from China.

Senator HICKENLOOPER. We have some several thousand internees over there that they will not turn over to us. They have jailed our consular officials in Communist China, refused to let our ships have access to their ports, and it seems to me they are putting a lot of compulsion on it, in one way or another.

Dr. LATTIMORE. Senator, you are speaking of a matter of immediate difficulties. I am speaking of the long-term relationships between countries, and what I mean is that the inherent nature of our relation-

ship with China is such that, if they want to get the benefit of trading with us, they then have to offer the conditions that make that possible.

Now, it may well be that it is the desire of the Chinese Communist Government at the present time to prevent American recognition.

Senator HICKENLOOPER. You also, I believe, indicate that we should pull out of Japan, because our activities there are at least either futile or have very transitory benefits.

Dr. LATTIMORE. Oh, no, Senator. To say that would be to misconstrue my feeling about Japan.

Senator HICKENLOOPER. I don't want to misconstrue it. That is why I asked. I got that impression from your report to the State Department, and I would be glad to have you comment on it.

Dr. LATTIMORE. No. I am sure that the relations between Japan and the United States could be mutually beneficial. What I have repeatedly emphasized, not only in this memorandum to the Department of State but also in my most recent book, "Situation in Asia," is that we cannot expect to have a successful policy of making Japan an instrument of American policy, because I think that the Japanese are in a position where they can work the see-saw against us, between us and Russia, and will do so.

Senator HICKENLOOPER. Well then, what is your advocacy, so far as continuance in Japan, or our withdrawal from participation in Japanese administration there, is concerned?

Dr. LATTIMORE. I feel that, in the long run, Japan will have to survive economically, not only by having relations with the United States but by reentering the economic life of Asia, which is where Japan belongs. Japan, no longer being an imperial country, can no longer dictate its economic relations with the rest of Asia by the bayonet. Therefore, the Japanese will have to make trade agreements with other countries in Asia on terms that are acceptable to those other countries as well as to Japan.

Senator HICKENLOOPER. Are you in agreement that our policies in Japan up until now have been successful?

Dr. LATTIMORE. I think our policies up to now have, in large measure, been successful. I think particularly the early job that was done by General MacArthur in the extremely delicate business of taking over and disarming Japan was brilliant. I think that our policy of land reform has been a good policy and has been successful. There are many things that I would criticize in detail, but I think the general concept of our policy has been good.

Senator HICKENLOOPER. Now, you say that it is up to the Chinese Communists, or Chinese Communist Government, to make conditions that would be at least of a friendly nature to be in receipt of benefits from the United States? Did I understand you to say that a moment ago?

Dr. LATTIMORE. If the Chinese Government wants to have the Chinese people have the economic benefits of trade with the United States, then it is not only a question of providing for trade under conditions that show a fair profit to the American trader, but it is also up to them to provide conditions that the American trader will regard as politically tolerable.

Senator HICKENLOOPER. How do you reconcile that with the statement in your recommendation to the State Department—your memorandum entitled "Submitted to the Honorable Philip C. Jessup, Mr.

Raymond Fosdick," and so forth--the statement in about, I would say, the first third of that statement, in which you stated, according to the quotation in the newspapers of April 4, 1950, as follows:

It would be possible, therefore, if the mistake is made of waiting for the Chinese Communists to come, bat in hand, to ask American terms.

Now, to me that connotes a mistake if the Chinese came to us, and attempted to lay down, or to offer conditions, or something of that kind.

Dr. LATTIMORE. Oh, no, Senator. That was not my meaning.

Senator HICKENLOOPER. I do not mean to take it out of context, but I refer to the general sentiment your expressed there.

Dr. LATTIMORE. My sentiment, general sentiment, is that I have heard people say that China is so weak, economically, that we can take a very rough line, a very tough line; that all we have to do is wait and the Chinese will have to come to us, bat in hand, and ask for recognition on our terms; and, in this memorandum I give the warning that I do not think—that I do think that Communist China is probably economically strong enough so that it cannot be coerced, and if we simply wait, the Communists will not come to us, bat in hand.

Senator HICKENLOOPER. With regard to Formosa, do you think that we should pull out of any affirmative aid or completely discontinue any affirmative aid to Formosa as the Nationalist Chinese Government headquarters? I mean, should we completely disassociate ourselves with Formosa, with the exception of maybe some food under the Marshall plan, or something like that?

Dr. LATTIMORE. With that exception of food; yes. I think any question of continuing military aid in order to enable the present government there to keep up its existence, as a rump government, would be a terrible mistake, and in this case I am not thinking primarily or only of China, I am thinking of the sensitivity of the entire continent and islands of Asia.

Senator HICKENLOOPER. Do you refer to the government of Chiang Kai-shek on Formosa as a rump government? It is still the officially recognized government by the United States, is it not—the Republic of China?

Dr. LATTIMORE. It is still the officially recognized government.

Senator HICKENLOOPER. And there are some 8,000,000 people on the island of Formosa, are there not?

Dr. LATTIMORE. There are some 8,000,000 people on the island of Formosa, and on certain pages which I cannot recall at the moment, of the Department of State's white paper on China, there is a ghastly descripton of how the Nationalist Government plundered and looted Formosa, and shot down people in the streets, and so forth, making it clear why that government in Formosa now rests on a sullen and disaffected people.

We must not make the mistake of thinking that the Chiang Kai-shek government on Formosa is backed by 8,000,000 people who are capable of carrying him back to the mainland and watching him on a successful come-back.

Senator HICKENLOOPER. But, one of the thoughts that stimulated my questions is that I believe that Formosa has more population than Australia, and therefore to say that a government which has the sovereignty, regardless of the opinions in the white paper, with which

many people disagree, and many of their conclusions are disagreed with.

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. But to say that a government that has the sovereignty over more than 8,000,000 people is a rump government is probably—I mean it is a statement that I can hardly go along with, in view of the fact that it is still the recognized government of China, recognized by the United States.

Dr. LATTIMORE. Senator, there are some differences here. The Government of Australia is not a government which has retreated to Australia with its 8,000,000 people. The Government of Australia is homogeneous with the people of Australia, and grew out of the people of Australia. The important thing about the Government of Australia is that it is not a government over Australia, it is a Government of Australia, that has grown out of the people.

In the case of Formosa, you have a Chinese Government which has retreated to the island of Formosa, and practically nobody in the present Government of China is a Formosan, or speaks any of the dialects that are current in Formosa. In the eyes of the Formosan people, it is an alien government, and it is the government which cruelly plundered them and shot them down in the streets in the first days of alleged liberation from Japan.

Senator HICKENLOOPER. Then, it is your position that Formosa actually is not actually a part of China?

Dr. LATTIMORE. Far from it, sir. My position would be much better expressed by saying that Formosa is much more a part of China than is the government which is now trying to claim Formosa.

Senator HICKENLOOPER. Then, do you take it that the people of Formosa are sympathetic to the Communists in China and desire to communize the island of Formosa?

Dr. LATTIMORE. I doubt it very much, Senator. I think that the prevailing feeling among the Formosan Chinese is that they are Chinese and that their destiny and future lies with China. I am quite sure that up to quite recently, the Formosans look on communism with horror; but, they are having forced on them the same situation that was forced on other Chinese—that conditions are made so cruel for them, their government is so harsh and totalitarian that they cannot believe any propaganda that the Communists can be worse and therefore they are being backed into the arms of the Communists, as was the rest of China.

Senator HICKENLOOPER. Now, if the United States pulls out all semblance of support for the Nationalist Government of China in Formosa, how long do you think it would be before Formosa would be completely Communist-controlled?

Dr. LATTIMORE. I think the present government in Formosa would then end, in the words of T. S. Elliott "not with a bang, but with a whimper," and Formosa would then be with the rest of China and suffer the same fate, which may be pretty grim.

Senator HICKENLOOPER. So that, under your ideas and view of this thing, the inevitable path that we have to take is to reconcile ourselves to the complete dominion of continental China by the Communists, the abandonment of Korea to the Communists, and to accept the inevitable result of the communizing of Formosa—is that a fair statement?

If it is not, I would be glad to have you put it in any other terms.

Dr. LATTIMORE. I think, Senator, that China, a very big country, and Korea, a very small country, are both in the same position as regards the United States. They are part of the whole of Asia which can no longer be controlled from overseas by foreign powers picking out nominees and saying, "You will now rule this country for us, and if anybody objects to being ruled by you, we will give you the munitions with which to shoot them down."

If we attempt any such policy, we push them further under the control of the Russians, and we know how ruthless the Russians are.

Nevertheless, by reason I think of mistakes, and mistakes against which I warned, in American policy, we have backed them thus far into the arms of the Russians, and as a consequence we have taken a licking in that part of the world, and I do not think that pouring millions of dollars into either Korea, or Formosa, is going to change the situation. I think it will lead merely to a further loss of our prestige. I think we have to back off, and consider how we can again get into touch with those countries, no longer on terms of defeat, but on terms of new negotiations in which the relationship, if it is to be hostile, and those people do not want to be hostile to us, in which the relationship if it is to be hostile then, that is a disadvantage forced upon them by the fanaticism of their new rules.

Senator HICKENLOOPER. Do you believe that we have any prestige left in China as a result of the events that have gone on in the last year or so, and the announced policy of the State Department made last this winter, and by "prestige" I do not mean isolated individuals that may think well of us, but I mean prestige in the general terms, maybe they call it "face" in China, or something like that.

Dr. LATTIMORE. Prestige, Senator, in the sense of any belief that our policy, if pushed harder might yet succeed; no. That is bankrupt. Prestige, in another, in a deeper sense; yes.

I think that over the past century, there has been built up in China, among the Chinese people, not among the officials, not among the governing class, a fund of real affection for and belief in the United States, that has not yet been destroyed, even by the China lobby.

Senator HICKENLOOPER. Now, with regard to Korea, is it not a fact that the Korean Government and officials were elected in a United Nations-supervised election, in what might be called a free election, that is, under the terms prescribed by the United Nations—South Korea?

Dr. LATTIMORE. Now, in South Korea; yes. In South Korea there have been elections conducted, after the country had been put very firmly in the grip of a police force, the inner corps of which was the former Japanese police. The methods of that police force are extremely cruel and terroristic and I do not believe that if this police force, which supports Syngman Rhee, were deprived of external aid, it would be able to keep its control over the people very long.

Senator HICKENLOOPER. Manifestly, at the time of our going into Korea it was necessary to preserve law and order, was it not, rather than to risk chaos and all the disturbances that come with a conquering, so that a police force had to be set up of some kind, and some kind of an organization for law and order before orderly elections could be held? Is that a fair assumption?

Dr. LATTIMORE. Senator, I do not want to give any impression of what I believe, because I do not believe that American policy in Korea has been wilfully or in any way viciously mistaken. Nevertheless, we do have to look back on the fact that our record in Korea, since the end of the war, has been a catalog of misfortunes. Unfortunately, at the end of the war Korea was at the end of the line. There has not yet been prepared the necessary people for civil government, and administration, for an interim government of the country.

We landed there with combat divisions, instead of divisions that had been prepared for the occupation. The people rose up and started to take over, and to welcome the Americans, but the Japanese radioed out to the Americans, and presented an alarming picture of disorder, and received orders from the incoming Americans to maintain law and order in Korea, which they did, including the shooting down of some Koreans, and the result was that the very unfortunate impression was created in Korea that we thought of them as inherently a subject people, either they must be ruled by the Japanese or they must be ruled by us, and then after getting in there we installed an interim government. We did the best we could. There was a lot of shuffling and changing of people, and we vetoed some people and tried to get the best in the government that we could, but it didn't work out very well. Things have gone from bad to worse. I think the fundamental mistake there was the mistake that I had warned against in my book just before the end of the war, *Solution in Asia*, pointing out that in a number of these countries there were bound to be disorders anyhow as the control situation changed, so that they could not be ruled in an orderly way by military forces as they had been before. They would be obviously immature, and obviously if they took over power themselves, there would be a lot of trouble.

There was a choice between evils, and I think it would have been less—there would have been less lawlessness and disorder if they had been allowed to take over themselves, and I think we made a mistake in being too paternalistic in taking over Korea.

Senator HICKENLOOPER. Now, Dr. Lattimore, a Russian program or Communist program has been consistently, for a number of years, for the defeat of the Nationalist Government in China, and political dominion of communism on the continent of China, that is true, is it not?

Dr. LATTIMORE. I assume so, Senator.

Senator HICKENLOOPER. On their declarations and their statements and conferences, and so forth, and from the declarations of their public people, the Communists—the program of the Russians now, and I take it from public documents or published documents I should say, the problem of the Communists now is to drive the Americans out of southern Korea.

Do you agree that that is probably one of their objectives—have the United States withdraw from southern Korea?

Dr. LATTIMORE. I am sure the Russians would—will rejoice and will take all the propaganda advantage they can, as soon as Korea becomes definitely untenable and we withdraw.

How far they may go in putting in agents and means to hasten our withdrawal, I don't know. I presume they are trying to get away with anything they can get away with. I think the basic thing is that the situation in itself is untenable for us.

Senator HICKENLOOPER. And it is also a part of the Communist policy to take over Formosa, is it not?

Dr. LATTIMORE. I would put it this way: I do not think that there could be any government in China, Communist or otherwise, that could afford not to claim that Formosa is a part of China. The government now in power happens to be a Communist government and they are so claiming, but the significant thing here is not the government; the significant thing here is that the people of China consider the people of Formosa as a part of the people of China. The people of Formosa consider themselves as part of the people of China, and I think we must be very careful to differentiate between the people of China, who are overwhelmingly non-Communist, very few of whom have been converted to communism, and the Communists who are running the country, who are a very small but a very disciplined group.

Senator HICKENLOOPER. Dr. Lattimore, I want to refer to some statements made by Senator Knowland on the floor of the Senate last night, in which he introduced into the record a letter headed "Communist Party of New York State," dated March 1, 1949, "To all sections and countries?"

DEAR COMRADES: Enclosed please find program for action on China policy, as voted upon by a united front action conference on China, held in New York on January 29, 1949.

I am reading from page 4930 of the Record.

We are sure that you will find this material not only informative but helpful in planning actions on China in your communities.

A special outline has also been issued by the National Education Committee on Communist Policy in China. This can be secured through orders from our district education department. The outline can be used as the basis for discussion in your sections and branches.

Any inquiries in relation to further activity can be received by writing to the Committee for a Democratic Far Eastern Policy, at 111 West Forty-second Street, New York City.

Comradely yours,

MAY MILLER,
Assistant Organizing Secretary.

Then Senator Knowland quoted from that program adopted there some paragraphs as follows: This is what he quoted from the program:

Program for action on China policy as suggested by the Action Conference on China Policy, New York City, January 29, 1949.

2. Demand a new China policy.

A. An end to all forms of American intervention in China and of plans to aid any elements and remnants of the Kuomintang.

B. Preparation by our Government to recognize the government which the people of China are now establishing.

C. Planning now by our authorities for genuine and self-respecting cooperation with the people's government in China, including normal and friendly trade relations free of any political conditions.

Now, Dr. Lattimore, I will be very interested in having you tell me how that differs in almost any detail from the program which you have outlined for China and for Formosa and for Korea. Bear in mind that I am not alleging any support on your part for the Communist Party. That isn't the point. But I do say that as I read this and as I understand your answers to the question, there is a remarkable coincidence of similarity between the very program which you advocate for China and the program which the Communists advocate for China. I will be glad to have you discuss it.

Dr. LATTIMORE. Senator, if my warnings had been followed I think that this bad situation need never have arisen. The fact is that the position on Formosa is untenable. We are going to have to give it up. To have to give it up in circumstances in which the Communists in every little party Communist committee in New York State or any other State will crow and triumph over us and say, "Boys, we did it," is going to be very, very humiliating, and I wish we had not got ourselves into that position.

Senator HICKENLOOPER. Now I want to go back just a moment to your answers to some questions that Senator McMahon asked you a moment ago, in which you stated, as I understand it, that you believed that there was indication or reason to believe that Senator McCarthy might have got his information from Mr. Kohlberg or Mr. Goodwin, or something to that effect, because of the similarity of Mr. Kohlberg's approach to you and Senator McCarthy's approach to you. Am I reasonably correct in that?

Dr. LATTIMORE. Surely.

Senator HICKENLOOPER. Is it any more unreasonable for Senator McCarthy or anyone else to question your attitude on the theory when there is a great similarity between what you have advocated for China and Korea and Formosa and what the Communists have advocated? In other words, if this is guilt by association, is it not a two-way street?

In other words, if it is fair to you to assume—and I have never met Mr. Kohlberg in my life that I know of, and I don't know who he is—by the similarity of his actions to what you interpret to be Senator McCarthy's actions—if that is a fair assumption—then what is wrong with an assumption based upon the similarity of your position to that of the Communist position in Asia and Korea and Formosa?

Dr. LATTIMORE. Senator, there is this slight difference: I warned against this Formosa situation, this whole China situation. I did not want it to come up. I suggested everything that I could of that would prevent it from coming up. Then it has come up, and the Communists are now saying the things against it which I warned of. This Kohlberg-McCarthy thing is something else. Kohlberg says it first, and McCarthy then repeats the same words, with the same intention.

Senator HICKENLOOPER. I believe the record shows that the Communists were advocating a pattern of action as far back as 1929 along this general line in China, the infiltration, capture, and all these things that have come about, so there is a historical position of the Communist Party, I believe. I am not prepared at this moment to document it, but it is here in the record some place.

Dr. Lattimore, there has come into my possession at this time what is alleged to be a copy of a letter from you to Mr. Joseph Barnes, written supposedly from 111 Sutter Street, San Francisco, Calif., on June 15, 1943, and supposed to be signed by you as Director of Pacific Operations. As I say, this is a copy. There is no official stamp on this letter. It has the word "Secret" marked at the top. In the supposed copy of this letter, in the first paragraph, is a reason given for marking the communication "Secret." I expect to make this letter available for the records of the committee, and if it is a letter that you have written, then I can show you a secret document, if it is officially secret. If it is not a letter that you have written, then the "Secret"

mark on it is spurious. Therefore I, not desiring to make public any matter that might be still officially secret—and I have no knowledge whether it is still officially secret—if it is genuine or not, am going to hand you this letter and tell you that it came into my possession as an alleged copy of a letter which you wrote at that time.

I would like to ask you to read it and then tell me whether or not it is a copy of a letter which you wrote.

Dr. Lattimore. Should I read it aloud first?

Senator HICKENLOOPER. No. That is the reason I am giving it to you to read, because I didn't want to make it public if it is a secret document.

(A brief intermission was had to permit Dr. Lattimore to read the communication referred to.)

Senator TYDINGS. The committee will come to order.

Mr. FORTAS. Mr. Chairman and gentlemen of the committee, in view of the peculiar situation that is here presented, as counsel for Mr. Lattimore I would like your permission to make a brief statement about this document.

Senator TYDINGS. Go ahead, sir.

Mr. FORTAS. This document is presented here as a secret document. I do not know whether it is officially classified as secret. It is my recollection that Senator McCarthy referred to this same document in his statement on the Senate floor on March 30, and in his statement referred to this document as secret in a way that indicates that it is classified secret.

Mr. Lattimore tells me that he will be able to identify it as a letter he has written.

Senator TYDINGS. That he will be able to, or does?

Mr. FORTAS. That he does identify it as a letter that he has written, and he will so state under oath.

I now state to the committee that it is Mr. Lattimore's desire that consistently with Government regulations this letter be made public, and on behalf of Mr. Lattimore I respectfully request that the committee take whatever action is necessary to secure the declassification of this document if it is classified, and to make it public, so as to avoid any possible implication that there is anything in this letter which Mr. Lattimore does not desire the press and the public to see.

Now, Mr. Chairman and gentlemen, in making that request and in making the statement that I have just made, we do not yield any point that we have made, and which is referred to in Mr. Lattimore's statement, with respect to the use of this letter by Senator McCarthy on the Senate floor, presumably without securing its declassification.

Senator TYDINGS. Mr. Fortas, so that we may understand exactly what you are proposing, Dr. Lattimore desires that this letter be made public?

Mr. FORTAS. That is correct, sir.

Senator TYDINGS. His only reluctance to make it public so far as he controls the situation is, he does not want to violate the classification rules and regulations and laws?

Mr. FORTAS. That is correct, sir.

Senator TYDINGS. That is the only objection he would have to making it public now?

Mr. FORTAS. Yes, sir.

Senator TYNINGS. I think, therefore, that the burden of whether it is a classified document or is not a classified document should be first borne and solved by whoever offers it. As Senator Hickenlooper has it, I take it for granted he got it from somebody else, so I will have to ask him if he will not declassify it, if that is possible, or if it is not classified to establish that fact, so that we can admit it into evidence and give Dr. Lattimore the benefit of the letter if he desires it made public.

Dr. LATTIMORE. I identify this as a letter written by me, and I wish to have it put on the record, especially since it will make clear the fact that the quotations given from it by Senator McCarthy were distorted and tendentious.

Senator HICKENLOOPER. My purpose in suggesting this letter to you, Dr. Lattimore, is that I personally feel that, inasmuch as the letter was referred to, the entire letter should, if properly eligible to be made public, be put in the record. I do not want to violate an existing legal secret classification. That is why I said, if you wrote it you had already seen it, so it was no secret to you, and you had classified it. If you did not write it, then the "secret" mark was a spurious mark and would have no effect.

But now that we do not know, Mr. Chairman, and I do not know, whether this is still classified a secret document, do you recall whether you classified this "secret" under the existing authority at that time, or whether you classified it in your official capacity as "secret," or was that merely a personal classification?

Senator GREEN. Mr. Chairman, as one of the committee, it seems to me I am justified in asking that examination based on this document be deferred until it is declassified and we know what we are talking about. Why should we sit here and hear this colloquy between these two gentlemen when we do not know what they are talking about?

Senator TYNINGS. The chairman, if he may, wants to try to accord to any of his colleagues here every right that is possible, and not to infringe on the right of examination. I am not going to make any ruling on it unless I am required to by the committee. However, for whatever it is worth, I do not believe we should create an atmosphere of mystery about a document that Dr. Lattimore is desirous of having made public. I think we should withhold it until he comes back again, and in the meantime find out if we can make it public, before we pursue this line of testimony, which I am fearful will only create rumors and suspicions that may do the Government on one hand, or this committee, or Dr. Lattimore, some injustice.

So I request my colleagues—I shall not make any ruling on this—to abide by that observation. Then we can get Dr. Lattimore back and make it all public, and then everybody, including the people of America, will know what is in this document.

Senator McMAHON. Mr. Chairman, may I ask Senator Hickenlooper a question? Senator, as you see it now, who has the power to declassify this document? Is it in the State Department?

Senator HICKENLOOPER. I presume whoever is the successor in interest to the OWI.

Senator McMAHON. The State Department, I believe, took over the OWI. I guess the date of the letter would not be a secret. What is the date of the letter?

Senator HICKENLOOPER. June 15, 1943.

Senator McMAHON. How extensive were Senator McCarthy's quotes from that letter?

Senator HICKENLOOPER. I don't recall.

Dr. LATTIMORE. Fairly extensive.

Senator GREEN. And incorrect?

Dr. LATTIMORE. And incorrect.

Senator TYDINGS. Gentlemen of the committee, in the interest of fairness, if Senator Hickenlooper will let me read the letter I will take the responsibility of declassifying it right now.

Dr. LATTIMORE. Thank you, Senator.

Senator TYDINGS. I think if part of it, if it is declassified, has been uttered on the Senator floor, that affects the integrity or the standing of the charges made against this wit, that both he and the public are entitled to have it all made public, so that no false inference can be drawn from having given just a part of the document.

Senator HICKENLOOPER. I may say that the chairman may read it, so far as I am concerned, or any member of the committee may read it, but I would suggest before the chairman undertakes the responsibility of declassifying a matter that is legally classified that he ought to think it over a little bit.

Senator TYDINGS. I think that might have been a wise observation if it had not been declassified on the floor of the Senate without permission, to the detriment of the present man who stands accused of a very heinous offense.

Senator GREEN. May I ask the Senator who put the stamp of "secret" on it? Did he, or the person who gave it to him, or the State Department, or who? It may not have to be declassified.

Senator HICKENLOOPER. I think Dr. Lattimore is the one who classified it "secret." I personally think that so long as the letter was referred to on the floor of the Senate the whole letter ought to be in the record eventually, but I think it ought to be properly declassified.

Senator TYDINGS. Unless I am overruled, I am going to ask Mr. Fortas to read this letter in its entirety. I now ask for a vote of the committee. If part of it has been put in, I want it all in.

Mr. FORTAS. Senator, I will be glad to do it at your request, but you are going to have to help keep me out of jail if I do it.

Senator TYDINGS. I will read it myself, so that I will be the one that goes to jail.

Mr. FORTAS. I will be glad to do it as your agent.

Senator McMAHON. Mr. Chairman, may I ask Dr. Lattimore a question?

Doctor, it is apparent already, from just reading a few paragraphs, that you have classified this as secret.

Dr. LATTIMORE. That is right.

Senator McMAHON. It was written on June 15, 1943, about events then existing at that time.

Dr. LATTIMORE. Yes, sir.

Senator McMAHON. During the wartime period. I take it that what is described there is dead and gone except as it indicates your attitude at the time. In your opinion does this prejudice the interest of the United States, to have it public at this time?

Dr. LATTIMORE. Not in the slightest. In fact, Senator, I think it is to the interest of the United States that it should be made public.

Senator TYNDERS. Let me read it, and I will take the responsibility.

Senator McMAHON. I want to make very certain that the committee does not, in its anxiety to get the evidence out, give any aid and comfort to people who should not have it.

As I quickly look at it, it seems to be about past events and things which would not be of any assistance to anybody else. It is all right with me, Mr. Chairman.

Senator GREEN. I won't vote. I didn't have a chance to read it. How did you vote, Senator?

Senator HICKENLOOPER. I am utterly neutral.

Senator TYNDERS. Mr. Fortas, you may read it at my request and as an agent of the committee.

Mr. FORTAS. The address on this letter is "111 Sutter Street, San Francisco, Calif."

Senator TYNDERS. I would like to say before you read it that I have no knowledge of what is in it; I did not hear Senator McCarthy's speech on the floor; I don't know whether it helps Mr. Lattimore or whether it hurts him, but I do not believe that it is fair play to have a part of a document read anywhere in a trial as serious as this is, in a hearing as serious as this is, without putting the whole thing in so that no false conclusions can be drawn therefrom, and for that reason, even though it may be stretching the law a bit, as the events are all over and are now 8 years old, I cannot see where the interests of the Government can be hurt in the slightest, and I think this hearing is more important, perhaps, than any indirect injury that might come from the reading of whatever may be in its dealing with events of 8 years ago. So please proceed with it.

Mr. FORTAS (reading) :

111 SUTTER STREET,
San Francisco, Calif., June 15, 1948.

Mr. JOSEPH BARNES,
Office of War Information,
224 West Fifty-seventh Street,
New York, N. Y.

DEAR JOE: In your capacity as a member of our Personnel Security Committee there are certain things which you ought to know about Chinese personnel. It is a delicate matter for me to tell you about these things because of my recent official connection with Generalissimo Chiang Kai-shek. For that reason I am marking this communication secret.

When we recently reduced the number of our Chinese staff in New York it was quite obvious that there was going to be trouble and that this trouble would take the form of accusations against the remaining personnel. The fact is that certain of the personnel with whose services we dispensed had connections outside the office. This leads directly into the main question. It is extremely important from the point of view of security that intelligence information should not leak out of our office through our Chinese personnel. It is an open secret in Washington that the security of various Chinese agencies there is deplorable. Any pipeline from our office to any of those agencies is not a pipeline but practically an open conduit.

However, it is not only a question of Chinese Government agencies. There is also a well-organized and well-financed organization among the Chinese in this country connected with Wang Ching-weil, the Japanese puppet. This can be traced back to the history of the Chinese revolution as a whole. To present it in the fewest possible words: Sun Yat-sen was largely financed for many years by Chinese living abroad. Not only Sun Yat-sen but Wang Ching-weil had close connections among the overseas Chinese. However much he is a traitor now, the fact must be recognized that Wang Ching-weil is a veteran of Chinese politics with connections which he has nourished for many years among Chinese communities abroad, including those in the United States.

Chinese in the United States come almost exclusively from a few localities on the coast of China, practically every one of which is now occupied by the Japanese. Thus these Chinese in America have both family connections and financial investments which are under the control of the Japanese, and because of his years of political organizing work Wang Ching-wel knows all of these connections and can apply pressure through them.

On the other side there is a special organization within the Kuomintang or Chinese Nationalist Party at Chungking which is charged with maintaining political and financial connections with Chinese overseas. This overseas bureau also has a detailed knowledge of the Chinese communities in America and is able to apply pressure. Thus there is a very intense conflict going on every day in every Chinatown in America between the Wang Ching-wel agents and those of the Kuomintang. It must be remembered that while the Kuomintang is able to operate in a private way as a political party among Chinese residents in America, it is also the party which "owns" the Chinese Government and is thus able to make use of Chinese Government agencies.

Thirdly, there are numerous Chinese in America who are politically unaffiliated. There are, of course, Communists but they have neither the money nor the organization of the Wang Ching-wel and Kuomintang groups. The genuinely unaffiliated Chinese are a curious compound product of Chinese politics and American environment. They tend to be intensely loyal to China as a country, without conceiving that the Kuomintang or any other political organization has a monopoly right to control of their thoughts and actions. They are like Americans; they like to give their political allegiance, not to have it demanded of them. They are reluctant to support a regimented series of causes laid down for them under orders; like Americans, they often give moral and financial support to a scattered number of causes, some of which may even conflict with each other to a certain extent.

The conflict between the Wang Ching-wel organizing group and the Kuomintang organizing group in America cannot be fought out in the open. Both sides have very good reasons for not courtng publicity. Each is anxious to bring into its fold as many of the unaffiliated Chinese as possible. Each is also anxious not to be exposed as an "un-American" organization or a foreign political group working on American soil. Both of them accordingly find it very good tactics, not only to cover up themselves but to put pressure on those whom they are trying to bring under their control, to accuse unaffiliated Chinese of being Communists. This is an accusation which covers up the accuser at the same time that it puts pressure on the accused.

One of the outstanding rallying points of the unaffiliated Chinese in America is the New China Daily News in New York. This is controlled by an organization of laundrymen. I understand that the shareholders number two or three thousand and that they take an active interest in the newspaper. The essential thing about these laundrymen is that in the nature of their business they are independent small-business men. This means that they are on the one hand fairly well insured against Communist theology, since the small-business man of whatever nationality is likely to be a man who had made his way by his own initiative and enterprise and is therefore extremely suspicious of collectivist economic theories. On the other hand, these Chinese small-business proprietors are reluctant to submit themselves unquestioningly to the control of the vested interests which have grown up in China in association with the dominant Kuomintang. The New China Daily News would probably not come under much pressure if were not for the fact that it is one of the best edited Chinese papers in America with a growing circulation. It does not need to be subsidized or supported by a patron, like many, perhaps the majority, of Chinese papers. It pays dividends on its own merits. A number of Chinese language papers in America receive subsidies from the Kuomintang. At least two, and perhaps three, receive subsidies from the Wang Ching-wel group. One or two others trace back to the group within the Kuomintang which was at one time headed by the late Hu Han-min, a leader of the right-wing faction within the Kuomintang. The Hu Han-min group, though once regarded as right-wing conservatives, are now regarded in China as "old-fashioned liberals"—liberal, so to speak, short of the New Deal. They are less bitterly involved in Chinatown politics than the Wang Ching-wel and Kuomintang groups. The two latter, which are engaged in handing out carefully colored news and doctored editorial policies, are intensely jealous of and hostile to an unaffiliated paper like the New China Daily News, which, so to speak, flaunts its sins by being so readable that the Chinese public in America buys it for its own sake.

It would be rash to say that there are no Communists connected with the New China Daily News. Here it is necessary to consider another peculiarity of the politics of Chinese living out of China. These Chinese are far from being tied to the chariot wheels of Moscow; but when it comes to resisting the trend toward totalitarian regimentation within China they are often willing to support parts of the program advocated by the Chinese Communists within China. This is so much a part of the pattern of politics of Chinese living out of China that it is not uncommon to find wealthy men, even millionaires, supporting the program of the Chinese Communists in whole or in part. This was, for instance, conspicuous in Malaya before the fall of Singapore. For such prosperous and independent Chinese it was a question either of backing their independent judgment of the steps that needed to be taken toward creating a working democracy within China, or of paying financial tribute to the Kuomintang, which sometimes tends to be autocratic, and not infrequently spurns advice from Chinese abroad at the same time that it demands their financial contributions.

In the specific setting of America, it is the independent small-business man, like the laundryman, rather than the very few wealthy merchants who most conspicuously maintain this tradition of political independence. In America, some of the most wealthy individuals are either committed to Wang Ching-wel and his puppet Japanese party or at least are hedging until they have a better idea of how the war is finally going to turn out.

In the circumstances we have to be extremely careful about our Chinese personnel. While we need to avoid recruiting any Chinese Communists we must be careful not to be frightened out of hiring people who have loosely been accused of being Communists. We have to be at least equally careful of not hiring people who are pipelines to the Wang Ching-wel or to one or other of the main factions within the Kuomintang. After all, as an American Government agency we should deal with the Chinese Government or regular agencies of the Chinese Government, but should not get in the position of committing ourselves to the Kuomintang, the political party which controls the Chinese Government, as if it were itself the Chinese Government. You will recognize the importance of this proposition and the delicacy which is required on the operational level.

For our purposes, it is wise to recruit as many unaffiliated Chinese as we can, to pick people whose loyalty will be reasonably assured on the one hand by the salaries which we pay them and on the other hand by the fact that they do not receive salaries or subsidies from somewhere else.

Mr. Chi and Mr. Chew Hong, both of our New York office, conform excellently to these requirements. Mr. Chi I have known for many years. Until his family estates were occupied by the Japanese, he was a wealthy landlord. He was brought up in the older scholastic tradition in China, before the spread of modern western education, but at the same time he is keenly interested in the national unification of China and the orderly development of a stable political organization there. I know by long experience that he is anything but a Communist; I also know that because of his seniority, his background of independent wealth, and his superior mentality he is not a man to be pushed around by party bureaucrats. Chew Hong is a much younger man, but one whom Dr. Chi trusts and of whose integrity he is convinced. There is something in their relationship of the old Chinese standards of disciple and master. As long as Dr. Chi stands in the relationship of loyal friendship to me and the loyalty of an honest employee of an American Government agency, there will be no difficulty with either man, no irresponsible playing with Chinese politics, and no leakage to any Chinese faction.

The retention of both men is therefore a guaranty to the secrecy and security of the work of the OWI as well as a guaranty of the confident fulfillment of directives. I urge you not to be high-pressured into getting rid of either man. I know that both men may be subjected to attacks. Given time to work on it, I could undoubtedly trace such attacks to their origin and give you the full details. I doubt whether the Personnel Security Committee of OWI would be able to trace such attacks, rooted in the intricacies of Chinese factional politics, to their source; but I should not like to see us placed in a position where, after getting rid of people now attacked, we would be forced to hire people who would actually be the nominees of factions not under our control.

It is for this reason that I have written this long letter to urge you to report to our Personnel Security Committee the necessity for exercising pronounced agnosticism when any of our Chinese personnel are attacked.

In the meantime I am doing my best to check over our Chinese personnel in San Francisco.

Once more I urge you to observe the strictest confidence in acting on this letter, because in certain quarters it might be considered that I am under a moral obligation to see that OWI is staffed with Chinese who take their orders from some source other than the American Government.

Yours,

OWEN LATTIMORE,
Director, Pacific Operations.

Senator TYDINGS. I hope before you leave this letter, Dr. Lattimore, that you will put in the record what the charge was on the Senate floor made by Senator McCarthy and then put that part of the letter which you say was not correctly portrayed in its relations on the Senate floor, directly following it, whenever it is convenient for you to do that today.

Dr. LATTIMORE. Thank you, Senator. I was going to ask for permission to do that. I have here before me only some notes from what Senator McCarthy said on the floor, and not the full text of what he said, but even from these condensed notes I can quote the following to show the extreme distortion with which this letter was presented:

I quote; and I am only quoting what is in direct quotes.

Senator TYDINGS. You mean you are quoting Senator McCarthy now?

Dr. LATTIMORE. I am quoting Senator McCarthy now:

* * * fraud and misrepresentation in his intended deception of his superior.

Another quote:

* * * an excellent example of the far-flung Communist discipline so much insisted upon by Lenin.

Another quote:

O. L. urged strictest secrecy in getting rid of any Chinese who are loyal to our ally Chiang Kai-shek, and the recruiting of personnel solely from the shareholders of the Communist New China Daily News.

Now, Senator, I happen to know something about this subject because for many years, having been interested in recent Chinese political history, I had become aware of the importance in modern development of the Kuomintang, of the overseas Chinese. That is a subject which even to this day is inadequately documented.

I mention a special Chinese organization—may I have the letter?—within the Kuomintang or Chinese Nationalist Party at Chungking which is charged with maintaining political and financial connections with Chinese overseas. I knew something about this because I used to share a dugout in Chungking with the man who was the head of it, and in the pre-Pearl Harbor days in Chungking, where we were sometimes in dugouts for 12 hours a day, there was a lot of conversation.

I knew something about the Wang Ching-wei organization in this country because one of its strongholds was in the San Francisco Bay area, where I was living.

I was aware of the possibility of trouble through our Chinese personnel because there had been similar trouble with foreign or foreign-born personnel of OWI. Our principle was that everything going out over the air as Voice of America or in print as material distributed by OWI must be absolutely and beyond a doubt the Voice of America.

We had another principle. In dealing with foreign countries we must deal with those countries as allies. For example, in dealing with

Great Britain, we praised Churchill, but we praised him as the head of the British Government and not as the leader of the British Conservative Party. We could not play party politics in foreign countries.

When we put out broadcasts and other material praising the Russian resistance at Stalingrad, when we mentioned Stalin we never mentioned him as head of the Russian Communist Party. We had nothing to do with the party system even of a one-party country. It was absolutely essential that we should maintain the same principle with regard to China. And one reason why I classified the letter as "secret" was because, as I said at the beginning, I was in a delicate position. All Chinese in this country knew that I had been adviser to Chiang Kai-shek. So if I gave a decision one way, people would say, "Ah, he is still working for Chiang Kai-shek." If I gave a decision they didn't like, they would say, "He has turned against Chiang Kai-shek." I had to avoid that kind of position, and I had to maintain among our Chinese personnel the same high standards that we attempted to maintain throughout OWI.

Now I should like to make quite clear one or two minor points here. I wrote, "It would be rash to say that there are no Communists connected with the New China Daily News." I wrote that because it was my duty not to give a blanket endorsement to any organization, saying that I guaranteed it had no Communists in it. That is of a piece—and Senator McCarthy has misrepresented this—with my specification that "we need to avoid recruiting any Chinese Communists," and I was making it clear that by recommending Chinese of a certain kind I was not guaranteeing that all of them of that kind were free from communism. They must still go through the regular security check that everybody went through before we hired them.

Senator GREEN. How was that misrepresented?

Dr. LATTIMORE. The quote here is "the recruiting of personnel solely from the shareholders of the Communist New China Daily News."

Senator TYNDERS. And what does your letter say, precisely, on that point?

Dr. LATTIMORE. My letter says:

It would be rash to say that there are no Communists connected with the New China Daily News. Here it is necessary to consider another peculiarity of the politics of Chinese living out of China. These Chinese are far from being tied to the chariot wheels of Moscow. * * *

Senator TYNDERS. You went on to say prior to that, however, that they were small-business men, and therefore less likely to be Communist, and therefore you qualified it by saying that perhaps there might be some in there.

Dr. LATTIMORE. I believed that to be a good place to look for personnel, but I was in no position to give a blanket endorsement to people I had never seen.

Senator TYNDERS. I think the letter and the statements of the Senator pretty well take care of each other, and we can study it when we get around to it in the committee.

Senator HICKENLOOPER. Mr. Chairman, this is a matter I forgot to clarify when this hearing started this afternoon at 2:30. At the morning's hearings, when I began to interrogate Dr. Lattimore, I said that I expected to ask him some questions which had occurred to me as a result of all this publicity, and then I expected to ask him some

questions because I had asked Senator McCarthy if there were any questions that he would specifically like for me to ask Dr. Lattimore.

I did receive a communication from one of Senator McCarthy's aides this morning, just before I came to the meeting, and we discussed certain things that I understood at that time to be in the nature of a request by Senator McCarthy that I ask certain specific questions. Unfortunately, I apparently completely misunderstood Senator McCarthy, because at the close of the hearing at noon today he came to me and said that he had not submitted any specific questions to me to ask for him, that he did not want me to ask specific questions on his behalf, that he had not been accorded the opportunity to ask the questions himself; therefore he could not adopt the device of asking his questions through a member of the committee.

I am sorry that I misunderstood the situation. I want to assure you, Mr. Chairman, and everybody else, that I have not asked any specific questions that were requested by Senator McCarthy for me to ask. All the questions I have asked are questions that have occurred naturally to me as a result of reading the various allegations that have been made; and I want to make it clear that I have not asked, and shall not ask, at least under present circumstances, until I am specifically asked to propound any questions generated by Senator McCarthy himself.

I have another question or two.

Senator TYDINGS. I would like to say right in that connection that this matter of cross-examination came up in the committee in executive meeting, and it was considered there as to whether or not it would be fair to let Senator McCarthy cross-examine the witnesses. The committee had in mind, in saying that Senator McCarthy should ask his questions through the members of the committee, this thought: That the most entitled persons in all of these proceedings to have a fair deal are those, even if they are guilty, who are accused of the heinous offense of treason, near treason, disloyalty, or espionage. Inasmuch as the witnesses accused by these people who have been publicly named had no chance to interrogate those who accused them, it seemed to us in line with the sixth amendment to the Constitution, which we call the Bill of Rights, which entitles every person accused of a heinous offense to be confronted with the witnesses against him, that the accused should at least have no disadvantage in the matter, and, therefore, as they had had no chance to interrogate Senator McCarthy—for example, on the very thing just read—to point out immediately, at the time, the difference between his uttered remarks and the document itself, that if we gave Senator McCarthy the right, they had had no right to cross-examine him either in person or by counsel, and it would be a most unfair and a Cardinal Mindszenty proceeding, and one of the things that has revolted America lately has been the conviction of numerous religious prelates and some American businessmen under methods similar to that which I have just described, which we are trying to keep out of this committee.

We want to be fair to Senator McCarthy. We want to be fair to the accused. And we do not feel that we can extend to Senator McCarthy a right which has been denied the persons accused by him of various heinous offenses, and, for that reason, the method that was adopted was voted on in the committee.

Senator HICKENLOOPER. Mr. Chairman, I might just amplify what I said a moment ago. I have no hesitancy in asking any questions that a member of the Senate might want to submit to me to ask. I am perfectly willing. I have asked two or three questions in the last several days that various members of the Senate have submitted to be asked, and I have no hesitancy about that. If I do ask questions that have been specifically submitted to me, I want to make it clear that they are questions I have been asked to ask.

Senator TYDINGS. The press has asked for copies of this letter. There is only one. If the press will designate someone who will be responsible for the letter so copies can be made of it, and return it to the reporter, they may have it.

Senator HICKENLOOPER. I just want to say, any member of the Senate that wants a legitimate question asked, or a question that is apropos to the advancement of this hearing, I am perfectly willing to ask it as an individual.

Senator GREEN. Instead of asking you to ask a question, may I ask a question?

Senator HICKENLOOPER. You may ask it.

Senator GREEN. When you explain that Senator McCarthy did not authorize you to ask questions, did you mean that to refer particularly to this letter which has just been read?

Senator HICKENLOOPER. No. Senator McCarthy did not ask me to put this letter in the record. The letter came into my possession. I said awhile ago part of the letter had been referred to. I had the letter in my possession. If it were a genuine copy, I thought the entire letter ought to be put in the record.

Senator GREEN. You mean Senator McCarthy did not give you his copy of the letter?

Senator HICKENLOOPER. I did not say that. But I did say that Senator McCarthy did not ask me to put this letter in the record.

Senator GREEN. He just gave it to you?

Senator HICKENLOOPER. No. As a matter of fact, Senator Green, he did not give it to me, and it happens to be, I think, just a little beyond your province to ask questions about that, but the fact is Senator McCarthy did not give me this letter.

Senator GREEN. I won't ask any more.

Senator TYDINGS. We don't want to get to examining each other here. We have enough work to do without that.

Senator HICKENLOOPER. I don't know whether this letter came from Senator McCarthy or not, but he is not the one who gave it to me. I will assure you of that.

Now, Mr. Lattimore, Dr. Chi, referred to in this letter, whom you referred to as your friend, is he in China now, so far as you know?

Dr. LATTIMORE. Yes. He went back to China, Senator, after the end of the war; I forget exactly when, whether it was right after or shortly after. He then became a professor at one of the universities in Peking, which were then, of course, controlled by the Nationalist Government, and after the Communists took over at Peking he, like the majority of university professors, remained there.

Senator HICKENLOOPER. Is he an editor of the New China Daily News in China, in one of the cities of China?

Dr. LATTIMORE. Not to my knowledge, Senator.

Senator HICKENLOOPER. Is it his son that is now waiting hopefully to be recognized as the Chinese representative to the United Nations on behalf of the Communist government of China?

Dr. LATTIMORE. So I have heard, Senator. His son, whom I had known first in New York in the early 1930's, when he had just finished his graduate work at Columbia, later went back to China—I am not quite sure when—and entered the service of the Government in Chungking. I then saw him when I was in Chungking again in 1941 and in 1942. Mr. Chi at that time had a high position in the Bank of China and also, as I recall, on the Currency Stabilization Board. His family, his father and Dr. H. H. Kung, the Minister of Finance, were old friends, and Dr. Chi was treated as an extremely confidential financial subordinate by Dr. Kung.

Senator HICKENLOOPER. Now, Dr. Lattimore, I am asking you now specific questions that were handed to me by a Member of Congress during the noon hour.

Senator TYDINGS. Do you care to identify him? It is not necessary.

Senator HICKENLOOPER. I think it is completely irrelevant to identify who it is. It is a Member of Congress who handed me these questions during the noon hour. He is interested in securing an answer to them, and I told him I would be glad to ask you the questions. These are not specifically my questions.

Question: Do you know who recommended you or who was responsible for your appointment on the Presidential mission to China when you went over there as an adviser to Chiang Kai-shek?

Dr. LATTIMORE. In 1941, sir?

Senator HICKENLOOPER. I believe that is correct. The date isn't here, but I believe that is what is referred to.

Dr. LATTIMORE. So far as I know, Senator, what happened was that Chiang Kai-shek asked President Roosevelt to nominate somebody who could be an American adviser. I was called over to Washington and told that my name was being considered.

Senator HICKENLOOPER. Who called you over?

Dr. LATTIMORE. The telephone message came from Mr. Lauchlin Currie, in the executive offices of the President, to the Johns Hopkins University, and I came over here and, in the first instance, I saw Mr. Currie. Who suggested my name to Mr. Currie or to the President, or however it came up, I don't know. Perhaps I was a little bit vain-glorious in merely assuming that I was well enough known so that my name would naturally come up when a question of an expert on China was considered.

I was asked if I cared to name anybody with whom the President might consult, and I named Admiral Yarnell—Admiral H. E. Yarnell—and President Isaiah Bowman, of the Johns Hopkins.

Senator HICKENLOOPER. When Vice President Wallace made his trip to China you were head of the OWI in China at that time; were you?

Dr. LATTIMORE. No, Senator. At that time—let's see; that was 1944—I had come back from San Francisco and, as I recall, I had resumed my work at the Johns Hopkins, but was coming over to Washington once or twice a week as a consultant to OWI.

Senator HICKENLOOPER. And as consultant to OWI where did you meet? Where were their headquarters?

Dr. LATTIMORE. In the Railway Retirement Board Building here in Washington, D. C.

Senator HICKENLOOPER. Do you know who suggested your name to be assigned to Mr. Wallace on his trip to China?

Dr. LATTIMORE. I don't know, sir, of my own knowledge. In the introduction to the book that Mr. Wallace wrote about that mission he says, or implies, that it was President Roosevelt.

Senator HICKENLOOPER. Dr. Lattimore, what were the circumstances of your assignment by the United Nations to the recent Afghanistan trip that you just returned from?

Dr. LATTIMORE. I was called up from New York by the Economic Division of the United Nations and asked—

Senator HICKENLOOPER. Who heads that division?

Dr. LATTIMORE. Mr. David Owen, who is one of the Assistant Secretaries to Mr. Trygve Lie.

Senator TYDINGS. Of the United Nations?

Dr. LATTIMORE. Of the United Nations.

Senator HICKENLOOPER. Had you been consulted prior to this call from New York by the State Department or anybody in it as to whether you would be available?

Dr. LATTIMORE. No, Senator.

Senator HICKENLOOPER. In addition to the memorandum of August 1949, which was the memorandum to Dr. Jessup and others that we referred to, in the State Department, what other memoranda or reports have you submitted to the State Department or any divisions of the State Department in the past?

Dr. LATTIMORE. I can't recall submitting any, Senator.

Senator HICKENLOOPER. And outside of the consultations and activities that you mentioned in your formal statement this morning, have you had other consultations with the Secretary of State or any of his subordinates with regard to Far Eastern Affairs and American policy in the Far East?

Dr. LATTIMORE. The only Secretary of State that I ever met was Mr. Hull. I remember it must have been about 1939 or 1940 I came over with one or two other people from Baltimore—I think only one, Prof. Arthur Lovejoy of the Johns Hopkins University—after asking for an appointment with Mr. Hull to urge that we take steps to diminish or cut off the flow of supplies of strategic value to Japan. Except for that occasion, I have not met any of the Secretaries of State.

Senator HICKENLOOPER. You have never met Mr. Acheson?

Dr. LATTIMORE. No, Senator. I wish I had. I admire him very much.

Senator HICKENLOOPER. Do you know who the present Director of Far Eastern Affairs is in the State Department?

Dr. LATTIMORE. It seems to me there was a statement in the paper the other day that Mr. Walton Butterworth had been head of that, but was now assigned to a Japan mission, and that Mr. Dean Rusk had been appointed—no, wait a minute. Mr. Rusk I understand has been appointed Under Secretary responsible for the Far East, and you are asking about China, are you, Senator, specifically?

Senator HICKENLOOPER. Yes, China.

Dr. LATTIMORE. The China desk? I am not sure.

Senator HICKENLOOPER. Do you know Mr. Butterworth?

Dr. LATTIMORE. I have met him, I think, once.

Senator HICKENLOOPER. Do you know Mr. Dean Rusk?

Dr. LATTIMORE. I have met Mr. Dean Rusk. In fact I was on a panel with him in Philadelphia a month or two ago.

Senator HICKENLOOPER. That ends the questions that have been suggested to me by this Member of Congress.

I would like to ask you, Mr. Lattimore, if your formal statement of this morning, which you have read, had been submitted by you to or seen or participated in by any member of the State Department or any employee of the State Department.

Dr. LATTIMORE. No.

Senator TYDINGS. Or any member of the committee?

Dr. LATTIMORE. Nor any member of the committee.

Senator TYDINGS. I mean this committee.

Senator HICKENLOOPER. Last night, in the session of the Senate, and I think I can give you the exact quotation—well, I believe I have a copy of what is alleged to be a direct quotation from the Record; I won't take time to find it—it is in the Record here, but I am reading from a copy of a news release issued by Senator Karl Mundt this morning and in this news release there is a quote of what he said on the floor of the Senate last night. He said:

There is a simple formula available to Owen Lattimore to clear his name and prove his innocence. All he needs to do is to ask the investigating committee to tell the President in his behalf to release his files so that as an American citizen whose reputation has been attacked before the committee he can be given the protection that can come only through demonstrating his ability to clear his name by the use of the facts in the files.

That statement was made last night on the floor of the Senate by Senator Mundt. I ask you if you have any objection to, not the publicity of these files; nobody has ever asked to make the files public—I ask you if you have any objection at all, Mr. Lattimore, to the five members of this subcommittee having full and complete access to the files of information which have been or may be in existence in either the State Department, the FBI, or the Civil Service Commission with regard to any historical background or information on you.

Dr. LATTIMORE. Mr. Senator, so far as I as an individual am concerned, my record is open and clean. I do not mind any form of fair investigation that helps me to prove that my name is clean and honorable. On the other hand, I am not a member of the Government and as an individual I do not think it would be fair for me ask for special treatment differing in any way from that which is accorded to other individuals by the regular procedures of this Government.

Senator HICKENLOOPER. I merely ask you if you, as an individual and divorcing yourself from any possible technical questions involved with regard to the release of files, would have any objection to such an examination, at least without the intention at the time of the examination of making any of those files public property. Do you have any objection to such an examination by the committee?

Dr. LATTIMORE. Senator, you realize that in replying to this question I shall not be replying as a disinterested person to a theoretical question. I am a very much interested person. In my case, the opening of my files would show me to be a completely honorable American citizen, even an American citizen with some modest reason for pride.

But I feel that if I were to ask for that, I should be asking for a favor, and that I refuse to do.

Senator HICKENLOOPER. That is all.

Senator TYDINGS. Dr. Lattimore, your case has been designated as the No. 1 case, finally, in the charges made by Senator McCarthy. You have been called, substantially, I think, if not accurately quoting, the top Red spy agent in America. We have been told that if we had access to certain files that this would be shown.

I think as chairman of this committee that I owe it to you and to the country to tell you that four of the five members of this committee, in the presence of Mr. J. Edgar Hoover, the head of the FBI, had a complete summary of your file made available to them. Mr. Hoover himself prepared those data. It was quite lengthy. And at the conclusion of the reading of that summary in great detail, it was the universal opinion of all of the members of the committee present, and all others in the room, of which there were two more, that there was nothing in that file to show that you were a Communist or had ever been a Communist, or that you were in any way connected with any espionage information or charges, so that the FBI file puts you completely, up to this moment, at least, in the clear.

Senator HICKENLOOPER. Mr. Chairman, I want to make the record clear that I have not been afforded an opportunity—

Senator TYDINGS. I have already arranged for Senator Hickenlooper, who was absent—let me make my statement, if you will—the day we went to the Department of Justice to see this file to see it himself, again with me, some day next week, where he will have the same information that was made available to the other four members of the committee.

I didn't interrupt you. You have been taking the whole afternoon, and the chairman hasn't asked any questions at all. It is getting on to 5 o'clock. I would like to proceed. There have been lots of times when I would have liked to have asked questions.

Senator HICKENLOOPER. May I say that I was absent. I did not know about the meeting to look at these files. I hope to be able to see them. I tried to see them this week. It seems that I will not now be able to see them until next week. I can come to no conclusions about them, and this is the first time that I have received an affirmative assurance as to the conclusions about that meeting.

Senator TYDINGS. I would like to say this right there, that I would not have made this statement had not my colleague, Senator Henry Cabot Lodge, Jr., of Massachusetts, after he had seen the file, on the floor of the United States Senate, in a public speech, made the statement that up to now none of the charges had been proved as true. I think, therefore, coming from a Republican member of this committee, a very distinguished and an able and honest and patriotic member of this committee, the chairman can likewise now avail himself of breaking the silence which already has been broken.

Dr. Lattimore, are you familiar with the fact that in the House of Representatives recently, by a vote of the House of Representatives, aid for Korea was denied?

Dr. LATTIMORE. Yes, Senator; I had heard that.

Senator TYDINGS. By a vote, I think, of 192 to 191, and I think the date was January 19. That would, more or less, while not being

a specific part of the mechanics you recommend, be tantamount to the same end, only taking it rather abruptly; would it not?

Dr. LATTIMORE. Yes; it would, Senator. But I didn't tell them to do it.

Senator TYDINGS. I might like to analyze that vote for you—not that it is important, but those who voted for aid were 170 Democrats and 21 Republicans; those who voted against aid were 61 Democrats and 130 Republicans and 1 member of the American Labor Party, making 192 to 191. Of course, later on, at the instance of the President, as you know, that action was reconsidered and the aid was voted. But I can't help but draw the conclusion, from some of the questions asked here, that our investigation is going to have to extend over to the House of Representatives before we get through.

Have you seen any fact produced in the charges, which I assume you have read, made by Senator McCarthy, aside from allegations, which the committee could more fully examine to show that you have any espionage connections with the Russians?

Dr. LATTIMORE. I think I have covered them all, Senator.

Senator TYDINGS. Are you familiar with the fact that a great many of the people who favor a strong policy in China opposed a strong policy in western Europe, such as the Marshall plan when it was voted on?

Dr. LATTIMORE. I am very much aware of that, Senator.

Senator TYDINGS. That is all.

Senator McMahon?

Dr. LATTIMORE. Might I add, Senator, that I myself have always been very strongly in favor of the Marshall plan in Europe.

Senator TYDINGS. I understand that your philosophy is that if a test is to come, our resources must be husbanded so that with other areas that are able to contribute to the ultimate struggle, these areas will be kept close to us, and be available to throw their weight with us into the decisive battle, and your philosophy is that that is western Europe, and if we spread ourselves too thin we will become so mired down that we won't have the resources ultimately to fight the great battle which we may be called upon to fight for the preservation of liberty and democracy and our western civilization. Is that a general summary of your point of view?

Dr. LATTIMORE. That is a general summary to which I should like to add one very important thing; namely, that I believe that the recovery and the strengthening of Europe requires a reintegration of the interests, and very especially the economic interests, of Europe and Asia, which, in the circumstances, will have to be a three-way integration brought about by American, European, and Asian cooperation. I need hardly say that the Russians and all Communists very strongly oppose this idea; nevertheless, I feel that it is to the common interest of ourselves and Europe and Asia to build such an integration.

Senator TYDINGS. Senator McMahon has some questions.

Senator McMAHON. Dr. Lattimore, in the period of 1939 and 1940, when the Russian and German Governments were in alliance, there was a movement in this country, Communist-inspired, to attack the Allies on the ground that it was an imperialistic war. When Russia was attacked, the Daily Worker and the Communist Party were very much embarrassed because they had to change horses in the midst of the stream.

I would like to ask you whether, between the outbreak of the war in Poland and the attack on Russia, you were—well, let me put it this way: If you had an opinion and made it public, what was it?

Dr. LATTIMORE. My opinion in those years, Senator, was that a very bad error had been made when the French, British, and Russians failed to get together in front of the Hitler menace leading to the Hitler-Stalin agreement. I nevertheless felt that in the course of time the aggression of the Germans would bring all three together again.

As you remember, those were very confused times. It was the period when everybody was talking about the "phony" war, the "sit-down" war. There was the period when the Russians attacked Finland. At that time I was on the Committee of the League of Nations Union in Baltimore and we voted to make ourselves ad hoc into a committee to raise funds which were called Fighting Funds for Finland. I was a member of the committee that voted that way. That is, I condemned Russian aggression against Finland, not as a question of advocacy but as a question of a political scientist's analysis. I believed, unlike the Communists, that the situation which was being created by the Nazis was going to result in virtually a world alliance against them.

Senator McMAHON. Doctor, do I interpret your answer to mean that you did not participate in that party line thinking during 1939 and 1940?

Dr. LATTIMORE. Definitely, Senator.

Senator McMAHON. I have no other questions.

Senator TYDINGS. The committee will stand in recess until 11 o'clock Tuesday, when it will meet in executive session. I will ask you, Doctor, to hold yourself available.

(Whereupon, at 4:55 p. m., the committee adjourned, to meet in open session upon the call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

THURSDAY, APRIL 20, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment on April 6, 1950, at 10:30 a. m., in room 318, Senate Office Building, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally (chairman) and Wiley (member of the full committee); Ferguson, Wherry, Knowland, McCarthy, Mundt; Mr. Edward P. Morgan, chief counsel to the subcommittee.

Senator TYDINGS. There is a very large crowd here. We are trying to accommodate everyone who wants to attend these hearings, but I would like to admonish everyone please to desist from audible conversation and likewise from movement unless it is necessary. The press will want to get the statements of the witnesses and all of the interrogation, and unless we have enough quiet it is going to be difficult for all of the men who represent the new agencies to get the answers and to get the questions. So I hope that we will all try to abide by the request of the Chair.

We are ready to proceed. We have before us Mr. Louis F. Budenz, who has come to the committee in response to a subpoena issued by the committee to testify in the matter that is now pending before us. Mr. Budenz, if you will stand and raise your right hand, I will swear you.

Do you solemnly promise and declare that the testimony you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUDENZ. Yes, sir; I do.

Senator TYDINGS. Take a seat, please.
Give your full name.

TESTIMONY OF LOUIS F. BUDENZ, TUCKAHOE, N. Y.

Mr. BUDENZ. Louis Francis Budenz.

Senator TYDINGS. Your age?

Mr. BUNDEZ. Fifty-eight.

Senator TYDINGS. Your post-office address?

Mr. BUDENZ. Tuckahoe, N. Y.

Senator TYDINGS. And your present occupation?

Mr. BUDENZ. Assistant professor of economics at Fordham University.

Senator TYDINGS. We will ask Mr. Morgan to interrogate you, after which members of the committee will have the opportunity, but it occurs to me that you might like to proceed in your own way to make some statement before Mr. Morgan begins his interrogation.

Go ahead, Mr. Budenz.

Mr. BUDENZ. Since I appear before the committee under subpoena as a reluctant if not unwilling witness, I do think a statement would be in order. The statement I have to make is to be, first of all, my connection with the Communist conspiracy in the United States and the instructions and directives I received officially as a member of that conspiracy and in a leading position in that conspiracy.

Secondly, a summary of the evidence that I shall present; and, third, a statement that this evidence can be corroborated, in my opinion.

First of all, on the first point, I would like to state that for 10 years, from 1935 to 1945, I was a member of the Communist Party of the United States. For a few months I was secretly a member, until Earl Browder returned from Moscow, when it was decided that I should be only a member. I became labor editor of the Daily Worker, editor of the Communist paper the Middle West Record, and then managing editor of the Daily Worker, which is the official organ of the Communist Party in the United States. I became also at that time president of the publication—of the corporation, rather—which was vested with the control of the publication.

In addition to that I was a member of the Trade Union Commission in Illinois and New York on various occasions of the Communist Party, and a member of the National Trade Union Commission.

In my position as managing editor of the Communist Party specifically I attended a number of meetings of the Politburo, or what is now known as the National Board, of the Communist Party. This was considered necessary to keep me advised with the various segments of the Communist conspiracy and how they were operating.

Senator TYDINGS. Will you name that board again?

Mr. BUDENZ. It is the Politburo, technically, based on the Politburo in Moscow, but known today as the National Board of the Communist Party.

Senator TYDINGS. Right there, has it ever had any other names than the two that you have mentioned?

Mr. BUDENZ. Yes, Senator. It was also known as the Political Committee of the Communist Party, the National Board of the Communist Political Association, and the National Board of the Communist Party, so far as I can recall.

This is the dominant board in the Communist organization, although the Communist Party, being organized on a strictly espionage and conspiratorial basis, has various rings which are not associated always with each other, and has a secret committee which is in touch with the Communist International representative. That committee is composed of such men as Alexander Trachtenberg; Robert William Weiner, the secret financial agent of the Communist International; the late Joseph Brodsky, the attorney; Alexander Bittelman, chief theoretician of the Communist Party, an illegal alien here, as are a number of these gentlemen; and others, so that the Communist Party is set up on not a democratic basis but a conspiratorial basis.

However, in this picture the Politburo played a considerable part in receiving instructions and in giving directions.

In addition to my attendance at the Politburo from time to time—

Senator TYDINGS. From whom does the Politburo receive instructions?

Mr. BUDENZ. The Politburo receives its instructions from the Communist International representatives, who receive them from Moscow.

From time to time I attended the Politburo meetings, although I did not attend all of them. I was not a member of the Politburo, but was called upstairs to what we call the ninth floor in the building at 35 East Twelfth Street, which is the headquarters of the Communist Party. In addition to this official connection, it being requisite on me to attend certain of these meetings in order to understand what was occurring within the Communist movement, I also received direct instructions, well, almost hourly, as a matter of fact, but certainly every day, from the liaison officer connected with the Politburo. We had a liaison officer appointed who gave me instructions from day to day and in addition to that kept refreshing me on a list of about a thousand names which I was compelled to keep in my mind as to their various attitudes toward the party, the various shifts and changes, whether a man had turned a traitor or whether he had not, and things of that sort. This list was not put down in writing because of the fact that it might be disclosed, consequently I was compelled to keep it in my mind, and this representative of the political bureau, the Politburo, kept refreshing my mind on this list of names. In that way I could examine a copy of the Daily Worker or any information or receive information intelligently.

The representatives of the political bureau to the Daily Worker during various years were in turn successively Alexander Bittelman, the chief theoretician of the party, illegal alien, long resident of the United States; William Z. Foster; Eugene Dennis; and Jack Stachel. Jack Stachel is perhaps the most powerful member of the political bureau, having assigned to him constant contact with the Communist International apparatus, however the word may come or however the orders and directives may be received.

During the latter part of my association with the Daily Worker, in fact during a considerable part, Jack Stachel having come out from the underground where he had been hidden for quite a while during the Hitler-Stalin period, became the liaison man with the Daily Worker and was so until the time that I left in October 1945. Therefore, as managing editor of the Daily Worker I received these instructions officially as to what to do, as to the attitude to take on individuals, and as to other matters connected with the efficiency of the Communist organization in this country, including from time to time its infiltration into various organizations and other key spots in this country.

In connection with this infiltration, I would like to state that detailed names were not always supplied me, but the general picture or large-sized names were given to me where it would guide me, but the names of small fry, if you wish to call them that, of those who were infiltrating on a small basis, were kept secret by men like Eugene Dennis, who was specifically, as I know, among other activities, infiltrating the Office of Strategic Services, and other men of that character, those vested with the responsibility of immediate infiltration. Therefore it

is what we might call the large-sized names or people who stand out who were given to me, or who were active, or who in some other way were significant.

Therefore these instructions and recommendations and information came to me in my official capacity as managing editor of the Daily Worker.

In this connection, although I do not wish to develop this testimony myself, Senator, I would like to give a brief summary of my testimony.

That is to say, among the cells organized was a cell in the Institute of Pacific Relations. This was an organization, not a Communist organization, founded by the Young Men's Christian Association, if I am correctly informed.

Senator TYDINGS. Mr. Budenz, in order to clear up any misunderstanding, are you referring now to the cell as not being a Communistic organization, or the Institute of Pacific Relations not being a Communist organization?

Mr. BUDENZ. The cell was Communist, but the Institute of Pacific Relations was not a Communist organization.

Senator TYDINGS. I was sure that was what you meant, but I wanted to make that clear on the record.

Mr. BUDENZ. It is somewhat the same as the United Electrical, Radio, and Machine Workers Union, composed of 500,000 patriotic Americans, but who have been directed and guided and misled by a group of Communists who held 95 percent of the offices. While the Institute of Pacific Relations I will not say had 95 percent of its offices in the hands of Communists, I will say it was successfully infiltrated by the Communists, and it was to a large measure infiltrated and controlled during a period by them.

Senator TYDINGS. Would you fix when you think that period was that you think it was controlled by the Communists?

Mr. BUDENZ. I would like to testify, Senator, only on what came to my knowledge in the party. I don't want to engage in speculation, so that I would say that I knew of this in 1936, from then on. That doesn't mean that I knew the various episodes then; it does mean that I knew, for instance, Frederick Vanderbilt Field, a Communist whom I knew first as Comrade Spencer; and then later on as Mr. Field, that he was one of the sources of infiltration. He became Secretary of the American Council of the Institute of Pacific Affairs, and to my knowledge reported to the Politburo. I have been there when he reported. Therefore he was one of the agencies of infiltration.

With him was associated Philip Jaffe; though he was not immediately in the Institute of Pacific Relations, he was connected with Mr. Field surreptitiously in China Today. That was an open Communist publication which advocated a Red China. China Today was edited, at least to my knowledge, by Mr. Field under the name of Mr. Spencer at the very same time that as Frederick Vanderbilt Field he was operating in the Institute of Pacific Relations as Secretary of the American Branch.

Mr. Jaffe was not officially connected with the Institute of Pacific Relations, but made many contacts there according to the official reports made to me. Mr. Jaffe was editor, by the way, of China Today at one time under the surreptitious name of Philips, but if I recall correctly he later put his own name there.

Around the Institute of Pacific Relations also was established the magazine Amerasin, of which Mr. Jaffe became editor, and which also was designed to influence Pacific affairs. Mr. Jaffe and Mr. Field, I might tell this committee directly, to my knowledge are solely espionage agents—Frederick Vanderbilt Field and Philip Jaffe.

In this cell there was also Owen Lattimore. This I know from reports received in the Politburo, and given to me officially as managing editor of the Daily Worker. Mr. Lattimore, when I first learned this in 1937, was connected with the publications of the Institute of Pacific Affairs. In a specific meeting to which I refer, Mr. Lattimore was commended by Frederick Vanderbilt Field and Earl Browder for the fact that he had been responsible for the placing of a number of Communist writers in the organs of the Institute of Pacific Affairs, of which he was then the editor. Among these writers reported to me, although that may not have been in 1937, was James S. Allen, for instance, representative of the Communist International in the Philippines, who also became foreign editor of the Daily Worker. James S. Allen wrote for Pacific Affairs during the editorship of Mr. Lattimore. I could name a number of other Communists, but I shall perhaps defer that until later.

In 1937, then, at a meeting called by Earl Browder, it was brought forward that we were now under instructions to name the Chinese Communists or represent them no longer as Red Communists, but we had formerly played them up as being the spearhead of the revolution, with their Soviet Army, the Red army, and the like. But we were to begin to represent them, as Earl Browder said, as "North Dakota nonpartisan leaguers."

Field was present at that meeting and made a report at which he commended Mr. Lattimore's zeal in seeing that Communists were placed as writers in Pacific Affairs, and that this had been particularly noted during this last year, 1936 and 1937. Mr. Browder also referred to that, and it was agreed that Mr. Lattimore should be given general direction of organizing the writers and influencing the writers in representing the Chinese Communists as agrarian reformers, or as North Dakota nonpartisan leaguers.

Senator TYDINGS. Was Mr. Lattimore present at the meeting where this occurred?

Mr. BUDENZ. Oh, no, sir. He was not there.

Senator GREEN. Do you know Mr. Lattimore?

Mr. BUDENZ. Do you mean personally?

Senator GREEN. Yes.

Mr. BUDENZ. I do not.

Senator GREEN. Have you ever seen Mr. Lattimore?

Mr. BUDENZ. No, sir; I have not. As a matter of fact, however, I did not see Mr. Alger Hiss, either, and I knew him to be a Communist and so testified before the House Committee on Un-American Activities.

Senator GREEN. But you are not reasoning that everyone you have never seen and never heard may be a Communist. Is that your argument?

Mr. BUDENZ. No, sir; that is not.

Senator GREEN. All right, sir; go ahead.

Mr. BUDENZ. In regard to another event that I could testify to, in 1943, at a regular meeting of the political bureau, at which Mr. Browder was present and others whom I could name, it was again officially reported that Mr. Lattimore, through Mr. Field, had received word from the apparatus that there was to be a change of line on Chiang Kai-shek. This is one of those complicated incidents which occurred in Communist line development, and I shall have to explain that in more detail than I perhaps should do in my summary. However, I would say that there it was decided that the line was to attack Chiang Kai-shek; that, as a matter of fact, an article was discussed, to be put in one of the organs of the Institute of Pacific Relations; and it did so appear, by T. A. Bisson, declaring that Nationalist China was feudal China, and Red China was democratic China. We at the same time, however, in order to get instructions, cabled to Moscow later, after some discussion of this matter, and received an article back by one named Rogoff, which attacked the appeasers in China, as it called it, and directed it against Chiang Kai-shek, although I am not certain that he mentioned Chiang Kai-shek by name. I have not had the opportunity to examine the article since. It was an important article, because later Rogoff denied the article and in addition to that said he was misrepresented, and in addition to that Harriet Lucy Moore, in the Institute of Pacific Relations, said that there had been a mistake made, or something like that.

As a matter of fact what happened, according to the information received by us, was that from that time on we did go after Chiang Kai-shek in the idea of a coalition government. The coalition government was a device used by the Communists always to slaughter those whom they brought into the coalition, and Moscow had some difficulty in advising the Communists to oppose Chiang Kai-shek, but at the same time to advise the public that we were still for Chiang Kai-shek, because they had to plead the coalition government, and coalition means that you do not denounce publicly the person you are coalescing with. That has occurred many times, and with opportunity I could present to the committee documentary evidence that this has occurred many times in Communist policies, where this difficulty has arisen, of Moscow advising you how to act yourself, and at the same time to put forward a public policy of praise for a certain group with whom you are cooperating only to destroy them.

In addition to that, in 1944 I shall be able to state that Jack Stachel, at the time Mr. Lattimore went to China as an adviser to Vice President Henry Wallace—and by the way, Mr. Wallace's trip was followed with very great care and detail by the Communist Party—that at that time Jack Stachel advised me to consider Owen Lattimore as a Communist, which to me meant, because that was our method of discussing these matters, to treat as authoritative anything that he would say or advise.

Again in 1945, Senator, there arose the Amerasia case, the stealing of documents from Washington by Mr. Jaffe. I can say that, because he pleaded guilty and was fined \$2,500.

Senator TYDINGS. In what year was that?

Mr. BUDENZ. 1945. I don't want to go into too much detail on this, but I would like to state that there was consternation on the ninth floor of the Communist headquarters at the time of these raids

on Amerasia, that the first decision was to represent Mr. Jaffe and his associates as Nazi-Japanese agents; that is, for the time being, but that that was thrown overboard the next day. It was there reported that some of the defendants, at least—I remember the names of, well, I think perhaps the names of these defendants had better be mentioned in executive session, unless the Senators feel otherwise, for this reason: I mean to say I am perfectly willing to mention them, but I think that maybe in justice to the Federal Bureau of Investigation that should not be done.

Senator TYDINGS. Just hesitate a moment.

I conferred with the members of the committee, and you may give any names you want in executive session, and if I am wrong in stating the position of the committee I hope any member will correct me. If at any time you feel that there is any part of your testimony that you should deliver, for reasons that you deem wise, in executive session, you may tell us and we will arrange for that sort of hearing, or you may testify in the open, as you see fit. Is that satisfactory to all the members of the committee?

Senator HICKENLOOPER. No; not necessarily, Mr. Chairman. I feel that if this witness bases his request for mentioning names in executive session on the ground that to mention them publicly would hamper the normal operation of present activities of the Federal Bureau of Investigation, that we should consider that. If it is only a matter of this witness' own personal preference, I think he should mention them in public. But if there is some overriding public interest that in his mind demands that they be mentioned in private, then I am willing to consider it.

Senator TYDINGS. That was what I intended to say. However, I probably did not express it as clearly as the Senator from Iowa. That was the purport of what I intended to say.

Senator GREEN. I would like to ask the witness first whether he has given these names to the FBI.

Mr. BUDENZ. Yes, sir.
Senator GREEN. All of them?
Mr. BUDENZ. Yes, sir.

The reason that I mentioned this is not because of any personal preference. The reason is because, well, I think in executive session I could better explain the position of certain of these gentlemen.

Senator GREEN. Have you also given to the FBI all the evidence you have against each?

Mr. BUDENZ. I am not certain of that, Senator.

Senator GREEN. You should.

Mr. BUDENZ. I should, but the point is, I have given more time, Senator, to the FBI than any man in the United States. Sometimes I give 18 hours a week. I do not mean that I shouldn't do better than that. I am trying to make amends for some of the things I did, but there is just a physical limit to what I can do. I have been so occupied with prosecutions—you understand, Senator, in the prosecution of the 11 Communist leaders I devoted every day that I had a holiday, including my whole Christmas holiday, to the Government representatives and to the FBI. Well, I mean, I can't give the FBI everything I know because of the physical limitations. That is, I shall give to them, before I shall make anything public, all the information I have.

Senator GREEN. Do I understand that you have some evidence against some of these persons which you have not given to the FBI? Is that right?

Mr. BUDENZ. Yes, sir; there is. And that is only due to physical limitations.

Senator GREEN. Yes. Then I think you are not in a position to give it to the committee for the same reason, is that not so?

Mr. BUDENZ. I think that is correct—well, to the committee? I would have to consider very seriously. You see, in giving evidence a man has to give some consideration to the circumstances and the facts surrounding them, and that is another matter involved here that I want to think over very carefully, exactly what I can honestly say about these defendants.

Senator GREEN. Why do you suggest giving it to the committee if you haven't and do not propose to give it to the FBI?

Mr. BUDENZ. Oh, Senator, I only meant to give to the committee those facts which the committee thinks in good conscience I can give it. That is to say, I do not intend to give to the committee, unless they insist upon it, evidence which I have not given to the FBI.

Senator GREEN. Then you do not propose of your own volition to give to the FBI all the evidence you plan to give to the committee?

Mr. BUDENZ. Oh, yes; I do. I intend to give to the FBI everything, and have to the best of my ability given to them every bit of information. As I say, if I may put it that way, I really do not know of any man—of course the FBI may—who has given so much time to the Government agencies as I have. That is to say, sometimes, although this is not normal, I have given 18 hours a week. I gave all last year every holiday that I had to assisting the Government in the trial of the 11 Communist leaders, and there are other matters of that kind which I do not wish to detail to take up your time.

Senator GREEN. The reason I asked these questions is because I attached a condition to my consent to the action of the committee, and it is that you give to the FBI all the evidence that you propose to give to the committee.

Mr. BUDENZ. I will be glad to do that, Senator. That has always been my attitude, Senator.

Senator TYDINGS. Senator Lodge has asked for time to make a statement.

Senator LODGE. In view of this interruption, I would like to repeat my conviction, which I have often expressed before, that these public proceedings in all probability hamper our investigative agencies and certainly injure the American position abroad, and in the future I hope that this and all similar investigations will be energetically carried on behind closed doors, and that is where I will ask my questions. It is obviously impossible to make a determination here as to what—that is, a certain determination as to what—it is that you can say in public and what it is that you must say in private, insofar as the best interests of the United States are concerned, so we ought to do this in private and then come out with our conclusions in public, in my opinion.

Senator TYDINGS. We will have an executive meeting of this committee at 10:30 a.m. in room G-23 in the Capitol. It will be very proper for any member of the committee to make a motion about

future hearings at that time for the consideration of the full committee.

Proceed, sir.

Mr. BUDENZ. Continuing, Senator, it was there reported by Jack Stachel that Mr. Lattimore had been in touch with some of the defendants, or they had been in touch with him, and that he had been of service in the Amerasia case. That is a summary of my evidence.

Now, in addition to that, however, I would like to say that up until 1940 or '41—of course when I say it is a summary of my evidence, it isn't the full body of it. In 1940 or '41, up until 1940 or '41, the Politburo of the Communist Party issued throughout the country on onion-skin documents which were official documents sent to the national committee members, and also I can't say to my knowledge, but to my best information, officially received, sent to Moscow. These Politburo meetings were full of the whole discussions which were conducted. They were on onionskin paper and were sent to a common center through a mail drop and distributed to the members of the national committee. I recall that very specifically in Chicago, for example, where we received them through Morris Childs, representative of the Communist Party there.

These documents in the discussions on the Far East referred to various people in the party by their initials, because otherwise they would be disclosed, and in those documents in the discussion of Mr. Lattimore his name appeared under the initial "L" or "XL." I was so advised by Jack Stachel in the office in New York and as a matter of fact, these onionskin papers were considered so confidential that we were forbidden to burn them. We had to tear them up in small pieces and destroy them through the toilet. Then later we were ordered to give them to a common center.

As a matter of fact, much of the Communist devices are carried on through these onionskin instructions, which constantly are carried forward. The reason burning is forbidden is that it would create attention and would leave embers.

However, I do wish to state that on these reports to the Politburo, some of which may be available, though I don't know where they would be—there is the initial "L" or "XL" on far eastern affairs, which refers to Mr. Lattimore. We were so advised and instructed for our information.

The third thing I would like to bring to the attention of the committee is that with due diligence and investigation—and I am just making this as a recommendation, not in any way passing comment on the investigation, I think you understand—corroborative evidence can be obtained. I would recommend to this committee that they subpoena Frederick Vanderbilt Field, all of his financial accounts and all of his records. I accuse him here as a Soviet espionage agent who used money to influence the Institute of Pacific Relations.

When I say I accuse him, Senator, I have not all the facts. I accuse him on the basis of information stated by Mr. Field in reports. I recommend that Philip Jaffe be subpoenaed, and that Jack Stachel be subpoenaed, and perhaps Earl Browder, but certainly Jack Stachel, as the man who is the center of all these instructions and activities, and as the man who gave me direct instructions in these cases.

It may be that as Communists they will not corroborate fully my evidence, but one thing can be elicited from them, and that is a great number of facts which will support strongly what I have to say.

In addition to that I am sure, although this was confined, Senator, to a very small group—we must understand the Communist conspiracy, namely that it is not a democratic body, operating through rings and subcommittees. Although this was confined to a small group, I am sure there are other witnesses that can be obtained that will testify on this matter.

Then, in addition to that, I have not the time to present, although certainly I wish to appreciate the courtesy of the committee in permitting me to appear on Thursday rather than Monday; I have not had the opportunity to examine the many documents that I can present to this committee in what I consider to be corroboration. The committee may think otherwise, but that is my thought.

I would like to have the privilege of about 2 weeks to present this documentary evidence, in order that it will be done properly. I would be very glad to do that, and to present to the committee documentary evidence which will take me time to assemble.

However, I do wish to present, in corroboration of my testimony, an article by a man who is an expert on the Far East, the Reverend James F. Kearney, of the Society of Jesus, in his article on Disaster In China appearing in the Columbia, the official organ of the Knights of Columbus, in September 1949. In this article Father Kearney declares, "There are those who believe, though, that no Americans deserve more credit for the Russian triumph in the Sino-American disaster than Owen Lattimore and a small group of his followers." But Father Kearney doesn't make this charge. He examines Mr. Lattimore's record and his declarations and his activities to support it.

I wish to present this to the committee as the first corroborative evidence.

Senator GREEN. May I ask you whether you have given the FBI these documents, submitted them to them, which you propose to submit to the committee?

Mr. BUDENZ. I think that I have, Senator.

Senator GREEN. Don't you know whether you have or not?

Mr. BUDENZ. Well, Senator, I have cooperated with the Federal Bureau of Investigation to the utmost of my ability.

Senator GREEN. For a long time. You told us that before.

Mr. BUDENZ. Yes, sir.

Senator GREEN. I want to know whether you submitted these documents to the FBI.

Mr. BUDENZ. My impression is that I have.

Senator GREEN. Don't you know?

Mr. BUDENZ. I know that I have called their attention to this document and to the next one I intend to present.

Senator GREEN. You spoke about documents it would take you 2 weeks to prepare.

Mr. BUDENZ. Those documents, I have not had an opportunity to present those.

Senator GREEN. Have you given the same advice to the FBI that you have kindly given this committee as to whom we ought to investigate?

Mr. BUDENZ. Well, the FBI knows pretty well that I think Frederick Vanderbilt Field should be investigated.

Senator GREEN. That is not my question.

Mr. BUDENZ. I misunderstand.

Senator GREEN. My question is, have you given the FBI the same advice that you have given this committee?

Mr. BUDENZ. I don't know that I have. I am not certain of that. That is to say, after all, as I say, there is a physical limitation to how many conferences I can have with the FBI. I gave to the FBI everything they ask of me, and in addition to that, of course, from time to time I have to check on the information.

Senator GREEN. Don't you think it is the duty of a good American citizen to notify the FBI when you have suspicions, based on evidence, and to supply them with the evidence? Don't you think that is the duty of every good American citizen?

Mr. BUDENZ. Well, Senator, if you will examine the hours I spent with the FBI giving them information from the first 3 days of Notre Dame until the present day, I will say, unless the record can be challenged successfully, that no American has given so many hours to the FBI, and at all hours of the day and night, and at any time, as I have.

I will say, Senator, that I believe every bit of information should be given to the FBI, but there is a physical limitation, particularly when you have to have a responsible position and have to check carefully on what you present to them.

Senator GREEN. If you think this evidence is so important that this committee should investigate it thoroughly within 2 weeks, don't you think you should have brought it to the attention of the FBI?

Mr. BUDENZ. As I go forward I wish to assure you, Senator, that I shall give every document to the FBI.

Senator GREEN. I am not asking about what you are going to do in the future. I am asking about your conduct in the past. Don't you think it was your duty to bring it to the attention of the FBI?

Mr. BUDENZ. I do think it was my duty, but I also know that physically I have certain limitations.

Senator GREEN. We all have.

Mr. BUDENZ. And I contend that 18 hours a week of the time of a person with the FBI—and I do not want to represent that that is a regular thing, and I contend that every week holiday and my whole Christmas holidays and all other times I can be reached, I give to the FBI, or I mean to government agencies. I cannot see how I can do more. I am ready to give to the FBI every bit of documentary evidence I have, and that has been my attitude always. In fact, I try as hard as I can always to give the FBI materials first of all. In fact, that is my general practice.

Senator GREEN. Then if I may summarize your testimony, it is that you have not given this documentary evidence to the FBI, and you have not given them the advice you have given us.

Mr. BUDENZ. Well, Senator, I believe that that may be in part technically correct, but I would like you to consider that on these documents I have called them to the attention of the FBI. Whether I have physically handed them over to them I do not know. I have called them to their attention.

In regard to the recommendations I made about Frederick Vanderbilt Field and Philip Jaffe and Mr. Stachel, well, I did not know whether that was essential. I give them information; I didn't know it was essential to make recommendations to them.

Senator TYDINGS. Proceed with your statement, Mr. Budenz. Go ahead.

Mr. BUDENZ. I would like to also present as the first part of the corroborative evidence, though by no means that which I shall eventually present to the committee, the New Masses of October 1937.

Senator TYDINGS. You know that magazine well, as I believe I can identify it. That is a Communist magazine, is it not?

Mr. BUDENZ. Yes, sir.

Senator TYDINGS. Is that an official organ of the party, or published independently by Communists?

Mr. BUDENZ. That is officially under the control of the party, although it has a separate organization, but it reports regularly to the Politburo and is financed in part by the party. As a matter of fact, it is completely controlled by the party. It, by the way, is not in existence any more. They have changed it over to a new magazine. But the New Masses was the Communist Party publication for the intellectual and professional classes.

This is an account of the trip of Mr. Lattimore, Mr. Jaffe, and Mr. Bisson to Red China, written by Mr. Philip J. Jaffe, and at the end we have a commendation here of what happened by Miss Agnes Smedley, whom I know from her own admission to me nearly—let's see—80 years ago, when she was married to Roi, the Indian Communist leader, as a Soviet spy, and Miss Agnes Smedley ends up here—I have further confirmatory evidence of that, through the reports of the late Harry Dennis and others, but Miss Smedley herself acknowledged that to me when she was married to Roi, the Indian Communist leader, under circumstances which I could not divulge, but she concludes, at the end of this statement of the trip of Phillip Jaffe, Owen Latimore, and T. A. Bisson, with what it meant to the Chinese Communists, and Mr. Jaffe publishes it here in the New Masses.

I also wish further to present the article which was the subject of discussion in the Politburo in 1948 by Mr. T. A. Bisson—Bisson or Bisson, I have heard it pronounced both ways—on China's part in the coalition war, and this is the organ, by the way, of the American Council of the Institute of Pacific Relations, in which you shall find that he asserts that Nationalist China is feudal China and Red China is democratic China.

Later on, as I have stated, I would like the privilege, because of the shortness of the time, to present a considerable analysis of documents further bearing on this matter, documents which I could not get access to in the brief time before me.

In conclusion on this statement, Senator, I wish to say very strongly that I am a lay figure in this matter. I am under subpena, and I have no interest whatsoever in a partisan way in this controversy. Indeed, I would appeal for a bipartisan, strongly bipartisan, policy against communism. That is my position and has always been my position, and it is in that capacity that I appear here, unwilling, reluctant, stating again that I stand for a strong bipartisan policy against communism, which is the greatest danger that the United States has ever confronted in its history.

I know that because I could, if the committee had time, but they haven't, produce documentary evidence of Stalin's intention to conquer the United States. That may seem absurd, and it may seem foreign from this investigation, but I would like to point out that Stalin is constantly hailed—I have this: "Long live the leader of the working people of the world, Joseph Vissarionovich Stalin." This is the organ of the Cominform, coming into our country, among many of the other seditious publications, advising the Communists how they shall proceed. I do not bring that into this discussion in order to color my testimony otherwise. I just bring it before the committee to indicate my own attitude, namely, that this evidence could be multiplied a thousandfold in the declarations by Stalin that they are expecting the world October, whereby the world Soviet dictatorship shall be established. That is their complete, undeviating policy, even though they clothe it from time to time under changes in tactics.

There are many documentary Communist sources that would confirm this association. It is solely, then, in the effort to combat this determination by Stalin to conquer the United States and establish the world Soviet dictatorship that I come before this committee, and for which I stand.

Senator TYDINGS Mr. Budenz, your exhibits will be put into the record immediately following your testimony. Will the clerk mark them "Exhibit 74," "Exhibit 75," and "Exhibit 76" in the order in which they were presented, so they can be quickly identified in the record?

Have you finished, sir?

Mr. BUDENZ. Yes, sir.

Senator GREEN. I just wanted to ask one question.

In your last statement, and I think in the first statement you made also, you stated that you gave this testimony reluctantly. I think you said that.

Mr. BUDENZ. Yes, sir.

Senator GREEN. Did you give it to Senator McCarthy reluctantly?

Mr. BUDENZ. I did not speak to Senator McCarthy at all.

Senator GREEN. I didn't ask you whether you spoke to him. But did you furnish him the information reluctantly?

Mr. BUDENZ. I surely did, very reluctantly. As a matter of fact, I appear everywhere; I call upon anyone who has to be associated with me in any prosecution from Judge McGoey up and down as to whether I do not appear everywhere reluctantly, not because I do not wish to cooperate with the Government but because I have appeared so frequently that I believe there should be a halt at some time to my public appearances.

Senator GREEN. Yes. But you intimated that you only gave this because you were subpoenaed.

Mr. BUDENZ. That is correct.

Senator GREEN. Senator McCarthy didn't subpoena you, did he?

Mr. BUDENZ. No, sir, he did not. However, Senator McCarthy does not know, so far as I know, up to this minute, of my testimony. He may, through friends whom I have talked to, but I have not given to Senator McCarthy my testimony, for the simple reason that I am not associated with Senator McCarthy. As a matter of fact, I am a nonpartisan person.

Senator GREEN. But you knew that he had the information from some source, did you not?

Mr. BUDENZ. Oh, yes, sir; I knew he had it. He had only, as I should call it, very fragmentary information.

Senator GREEN. Was that given reluctantly too?

Mr. BUDENZ. I didn't give it. It was presented to me in part. It was given very reluctantly, and certainly I stated that I only give this testimony when compelled to do so under subpoena on a nonpartisan basis. That has been my position for 5 years, and it shall continue to be, Senator, because I can't make a speech here on my views now, but I assure you this is not pleasing to me for many reasons.

Senator GREEN. I understand that.

Senator TYRINOS. Now I think the procedure that we agreed upon tentatively was to turn the witness over to Mr. Morgan, counsel. When he has concluded, the members of the committee may ask any questions they desire.

Mr. MORGAN. Mr. Budenz, your testimony thus far has been concerned, as I recall, with primarily four situations occurring in 1937, 1943, 1944, and 1945.

Now, before going further, I would like for you again, at this point, to indicate the exact date, if you recall it, that you went into the Communist Party, and the exact date you left the party.

Mr. BUDENZ. I joined the party in August 1935, because of their Peoples' Front policy. I am not going to plead any apologies, but I did accept at full value, you may recall it in 1935, the Seventh Congress, and they stated that they were going to cooperate with democratic organizations throughout the world, and that seemed to me to be a very remarkable change.

I found, soon, it was not; but I do not want to plead that as an excuse, because immediately I was compelled to make an oath to Stalin. Therefore, I knew what I was doing.

I was convinced that the Soviet Union was the banner bearer of the future progress of mankind. That was the reason I joined the Communist Party.

Just a moment—I wanted to explain this, because that was in August 1935, but I was instructed to remain under cover, that is to say, without open affiliation, until Earl Browder had returned from Moscow. When he returned, it was then decided, and Gerhart Eisler joined in, and his voice was very powerful, in agreeing with me, I should be an open Communist, and this was announced in the Daily Worker on October 2, 1935. I remained in the party just exactly 10 years, until October 11, 1945.

Mr. MORGAN. The testimony that you are giving today relates to the knowledge gathered by you during this 10-year period in the party, is that correct?

Mr. BUDENZ. That is all I can testify to, Counsel.

Mr. MORGAN. You are not presuming, therefore, to give us any evidence with respect to the activities of anyone after October 11, 1945?

Mr. BUDENZ. No, sir.

Mr. MORGAN. Is that correct?

Mr. BUDENZ. Except that I just confirmed it. I thought I was privileged to do so, to do that by Father Kearney's article, which does go beyond that period. However I, from my own knowledge, unofficial

knowledge of the character presented, cannot testify to events beyond 1945—I cannot.

Mr. MORAN. Now, thus far in your statement, Mr. Budenz, you have been giving quite naturally, as I understand it, your understanding, your impression by reason of the position, and it was a high-level position which you held in the Communist Party.

At this point, by way of explaining my line of interrogation, I would like to distinguish carefully, as we go along here, between that which you know of your own knowledge, and that concerning which you have been told.

I would like to begin, initially, with what appears to be our proper starting point here, 1937, and ask you if that was the first time that you ever heard of Owen Lattimore.

Mr. BUDENZ. It is the first time I heard of him in an official capacity, yes, sir. I have heard him mentioned by individuals, but never in an official capacity.

Mr. MORGAN. At this meeting to which you refer, in 1937, will you tell us when the meeting was held?

Mr. BUDENZ. You mean the month?

Mr. MORGAN. As nearly as you can.

Mr. BUDENZ. Well, I cannot recall the month. It seems to me to be in October, but that may be wrong. The reason I recall that time was—Browder discussed with me, just before the meeting, my going to Chicago, and I went there in November; but it could have been, since that discussion existed over a number of months, it could have been earlier. I will just have to speak of a period. I can't remember dates that well.

Mr. MORGAN. In your testimony, you characterized, and correct me if I am wrong, this meeting as "a conspiracy designed to effect this new line," is that correct?

Mr. BUDENZ. Yes, sir. The Communist Party is purely and exclusively a conspiracy, not a political party in any sense of the word. Its only reason for existence is to engage in recruiting people for espionage work, and for what they call diversionary activities, namely, influencing Government, public opinion agencies, and the like. That is all the Communist Party is designed for; and, it is organized on that basis.

You have, first of all—

Mr. MORGAN. I understand that, Mr. Budenz. What I mean in that connection is this; as I remember your testimony, and I do want to be corrected if I am wrong, this meeting in 1937 I believe you characterized as a conspiracy designed to influence policy relative to China. Is that correct?

Mr. BUDENZ. That is correct, and we had specific instructions which, by the way, are much broader than I have indicated, that the assignment to the American Communist Party was to see that America acquiesced in a Red China and a Red Poland. I can bring to the committee evidence of this.

As a matter of fact, Earl Browder dissolved the Communist Party and formed the Communist Political Association in May 1944, and in doing so explained to the National Committee that he did so under instructions in order to make America believe that communism was ceasing to be a factor in the scene and that thereby they could obtain acquiescence by America in a Red China and a Red Poland.

Those were the two chief assignments given the American Communist Party. We were told, and by the way the Communist documents said this for many years, China is a key, not only to the conquest of the Pacific, I am not making a literal quote, Senators, but I can show documents to that effect—not only the key to the conquest of the Pacific, but largely a key to the conquest of the world, with its millions of people who can be pressed into armed service.

Mr. MORGAN. Back to our original chain of thought there, Mr. Budenz: Conceding, for the purposes of our discussion here, that that was the conspiracy, as you suggest—is the purport of your testimony that Mr. Lattimore was in this conspiracy that was set up in 1937, at this meeting?

Mr. BUDENZ. Yes, sir. Mr. Lattimore can be placed in that conspiracy.

Mr. MORGAN. Was Mr. Lattimore present at that meeting?

Mr. BUDENZ. No, sir; he was not present.

Mr. MORGAN. And, upon what information, or upon what evidence, do you base the conclusion that you have made, that Mr. Lattimore, despite the fact that he was not there, was a part of this conspiracy?

Mr. BUDENZ. Upon the official reports of Frederick Vanderbilt Field, whom I know, by official documents, to be associated with Mr. Lattimore in a very close capacity, Mr. Field being secretary of the American branch of the Institute of Pacific Relations, and Mr. Lattimore being editor of its publication; and by the fact that this was part of a series of instructions and directions given me, as time went on, in regard to Mr. Lattimore.

Mr. MORGAN. Now, limiting ourselves at this point to this 1937 meeting, your feeling that Mr. Lattimore was a part of this so-called conspiracy was based on what Frederick Vanderbilt Field told you, is that correct?

Mr. BUDENZ. His report, not to me, but to a group called together by Earl Browder in which Earl Browder agreed, likewise, in his judgment, and he, Browder, was head of that conspiracy at that time—that is to say, as a Communist—they referred to Lattimore.

Mr. MORGAN. Mr. Budenz, I would like to call your attention, if I may at this point, to an article which you wrote, I believe, and which appears in the March 19, 1949, edition of Collier's magazine. Do you recall the article?

Mr. BUDENZ. Yes, sir.

Mr. MORGAN. I believe this same meeting is the one to which you refer on page 48 of that article, and if I may, I would like to read here one paragraph, and ask your observation concerning it, referring to this meeting. You say:

We are agreed that the change could not be effected immediately, since our recent emphasis had been on the "revolutionary aspect of the Chinese Soviet." Then Field outlined an alternative, we could work through legitimate Far East organizations and writers that were recognized as oriental authorities. Field emphasized the use of the Institute of Pacific Relations. This is not a Communist organization, but Field later succeeded in becoming Secretary of its American Council. Also chosen were the American League Against War and Fascism, and Friends of the Chinese People, the latter a Red-front organization. Their publications Fight and China Today were to be used in the design.

Now, as I read that statement here, and if I am wrong please correct me, it appears that you were outlining a program to be consummated in the future, is that correct?

Mr. BUDENZ. Not necessarily in the future; to be begun, but to be used as soon as events took place.

Now, I could consult the Daily Worker, I could give you the various changes in the line, I mean, it will take time—that is why I want to present these documents to you—it will take time to show you how this gradually was effected. That is to say, you have to gather men together; you have to perfect an organization; you have to deluge America, as was the fact, with the information.

Now this—

Mr. MORGAN. What I am referring to—

Mr. BUDENZ. Am I off the subject? I thought I was answering your question.

Mr. MORGAN. I want you to have every opportunity to explain your answer, but what I have in mind here is, as I understand the facts—at this meeting in 1937, there was a projected plan of action, is that correct?

Mr. BUDENZ. That is correct; yes, sir.

Mr. MORGAN. A conspiracy designed to accomplish a certain objective with respect to China, is that correct?

Mr. BUDENZ. That is correct; yes, sir.

Mr. MORGAN. How was Mr. Lattimore properly in the conspiracy, at that point, if he was not present at this meeting, and the plan and project was to be in the future? That is my question.

Mr. BUDENZ. Well, he is in the conspiracy because right along, he is officially referred to as being a member of the conspiracy, and he was associated in an intimate capacity with the man making the report. I think that we shall find that they called each other by their first names, and other things of that character.

Mr. MORGAN. Did Mr. Field tell you that Mr. Lattimore, at this point, would be used in the future? Just what did he tell you, Mr. Budenz, at this meeting?

Mr. BUDENZ. It was agreed that Mr. Lattimore, because of his position, which had to be very safely safeguarded, by the way, would be enabled to influence writers and others on this question; and, it was a long-time program, which I outlined as indicated, to some degree, in that article. Of course that is a magazine article, and every word is not chosen carefully, but every word is indicated there.

As a matter of fact, it was carried forward, and revived from time to time, and came into full bloom about 1943 or 1944, as I recall. But, there was this campaign, and it followed from this meeting because we had other reports on this, reports on this to which I did not refer because of the fact that I cannot always locate them in the same way that I can this meeting, by time and by place.

Mr. MORGAN. Now, in order to get this picture, and I think it is very significant for our purposes—at this 1937 meeting, which apparently is the springboard for this entire situation, I would like for you to again indicate to us, as specifically as you can, whether anyone told you at that time that Mr. Lattimore was a member of the Communist Party, or whether you were told that Mr. Lattimore would be used, by Mr. Field, in order to accomplish their objective. Can you help us on that? I think there is some confusion on that score.

Mr. BUDENZ. Yes, sir; I can.

Mr. Lattimore was referred, of course you understand the Communists do not go around telling each other, "This man is a member of the Communist Party." Mr. Lattimore was referred to as a Communist by Mr. Browder and by Mr. Field, in regard to the work that he had done in placing Communist writers, and that is a matter of public record, in the various organs of the Institute of Pacific Relations; but specifically, Pacific Affairs, of which he was editor, and they had noted that he had done good work in that respect, especially recently, and he was referred to by Mr. Browder, General Secretary of the Communist Party, as a Communist.

Now, in this respect, there are Communist Party members, those who are smaller people, and out-and-out Communists under discipline.

These Communists under discipline, since 1939 or 1940, since the Hitler-Stalin Pact, are ordered not to have any vestige of membership about them, except in exceptional instances where the Politburo decides otherwise, and therefore the expression "as a Communist" or "under Communist discipline" means in fact the same as being a Communist Party member.

Mr. MORGAN. You just made a statement, not that I did not grasp it, but about which I would like for you to comment on further. You say there is documentary evidence of Mr. Lattimore's placing of Communists in key positions in certain publications; is that correct?

Mr. BUDENZ. Not the act, itself; I said—documentary evidence in the form of names of these Communists in considerable numbers, in the articles in the Pacific Affairs, and I will mention one more, although I don't know whether he wrote just prior to 1937, but at the time Mr. Lattimore was there, and that is James S. Allen, former Communist International representative to the Philippines, and later on, foreign editor of the Daily Worker.

I mentioned him specifically because his name comes immediately to mind. There were many others.

Mr. MORGAN. For our benefit, and for our record, let us see if we can get a little better impression of this 1937 meeting. This was a meeting at which these leaders in the Communist movement in this country gathered together for the purpose of outlining a plan to influence policy with respect to Asia. Now, at that meeting, will you give us some idea of how that was carried on? Would each member suggest ideas as to how he expected to accomplish that objective, and then you finally—

Mr. BUDENZ. No, sir; that isn't the way Communist meetings are carried out.

Mr. MORGAN. Give us an idea.

Mr. BUDENZ. Communist meeting decisions are largely to find out how you stand on a proposition, see if you are going to carry it out fully. The report is already prepared in advance, just like the Communist trials are prepared in advance. That is to say, Earl Browder opened the meeting—of course, I can't give you all the details, this is quite a while ago—

Mr. MORGAN. Thirteen years ago.

Mr. BUDENZ. Yes, sir. It made an impression upon me, however, because it was when he got the message that the Chinese Reds, who we always had pictured as our ideal revolutionists, were nothing but

North Dakota Nonpartisan Leaguers, our agrarian reformers, as Mr. Browder said.

Now, in this meeting Mr. Browder opened up, as he would when he was the leader of the organization, by reporting that this was now necessary. Mr. Browder was generally a very abrupt man in his instructions of that character. He had called together not the official Politburo, that doesn't make any difference in the Communist Party, he had called together those people whom I remember just now, J. Peters and Ferucci Marini, or Fred Brown—these were the secret leaders for the Communist International, and the late Harry Ganns, who was an authority on China, a very extensive authority on China, and Carl Bristol, myself, and some others.

At any rate, Mr. Browder opened up by asserting that this was now the policy, and that we would have to develop—

Mr. MORGAN. May I interrupt?

Mr. BUDENZ. Now then, Mr. Field, who had already talked to Mr. Browder, went further. The main meaning of our meeting there was to participate in the discussion so each could receive instructions from Mr. Browder and Mr. Field.

Mr. MORGAN. That, I understand, Mr. Budenz. I understand that the line was set, and was merely accepted by this meeting, consistent with party discipline.

What I had in mind there, was this: that these party leaders, did they or did they not at that meeting plan the means by which they would carry out this predetermined policy? That is what I have in mind.

Mr. BUDENZ. Well, they never go into details. I mean to say, that it is not a Communist practice. They merely assign the undertaking to some individual, some Communist responsible is assigned to that work, and so they assigned this work to Mr. Lattimore, to be contacted by Mr. Field.

Now, the thing is that that is a common Communist practice. This is not novel. The Communists do not outline all of the steps to be taken. They leave those steps to the initiative, to the men who are assigned; and, in addition, they leave it to the executive instructions and contacts which are established later with the Politburo members, because except in unusual circumstances, it would take too much time, and that is not the Communist way of proceeding.

Mr. MORGAN. I notice, Mr. Budenz, that in this article in which you have outlined, and by the way, the article is entitled, incidentally, "The Menace of Red China," you have made no reference thereto whatever to Mr. Lattimore.

Is there any explanation for that?

Mr. BUDENZ. There is certainly an explanation, and that is, that I was not permitted to make the reference. That is, I don't mean there was a censorship, don't misunderstand me. I mean to say that a great number of names, including Mr. Lattimore's, were in my original rough draft. As a matter of fact, Mr. Lattimore is directly, so far as I could, referred to there, by mentioning all the Communist writers who wrote for the Pacific Affairs.

Now, Father Kearney recognized Mr. Lattimore immediately. He put that in his general résumé of Mr. Lattimore's career in The Columbia. In other words, in my original article, I mean the rough

draft which I conferred with the Collier's editorial board on, and by the way, I had to confer a long time on that article, for weeks—Mr. Lattimore's name was included, among others, but Collier's did not wish to do it. I disagreed with that, for a simple reason: Before I left the party, Senator, the Communist Party—and this is something that everyone should know—agreed that after that period of 1945, that with the cold war beginning, all concealed Communists should sue anyone who accused them of being Communists, sue them for libel.

As Alexander Trachtenberg, who made the report, said: "This is not necessarily for the purpose of winning the libel suit, it is to bleed white anyone who dares to accuse anyone of being a Communist, so that they will be shut up." And, as a matter of fact, that became the policy.

You must understand that before that, the exact opposite was the policy, you were forbidden to sue for libel on the ground of being a Communist, because it was considered that the case would cast a degradation upon the Communist Party. With the cold war on, they knew the Communist Party was going to be degraded anyway, in the public mind, so it was agreed to shut up, and this plan was very successful, those who might speak in organs, or in the press or over the radio, of concealed Communists—that the concealed Communists, as a matter of duty, were to sue them for libel, and we have a very striking case of Mrs. McCullough, the wife of the editor of Time magazine, who, even if she wins the case, is going to lose \$55,000 from the costs of the case.

Now, that was considered by me when the Colliers editorial staff, or the representative of it, dealt with me, and deleted not only Mr. Lattimore's name, but a number of others from this article.

Mr. FORBES. Mr. Chairman, may I interrupt for a moment?

There came into my possession this morning, some documents dealing with this subject. I hastily wrote out some questions relating to these documents, and I now hand them in and ask that they be asked of this witness, in accordance with the committee's previously announced policy.

Senator TYDINGS. Would you like for Mr. Morgan to ask them?

Mr. FORBES. If you please, sir.

Senator TYDINGS. At this point—

Mr. FORBES. At this point, I think these are pertinent, if Mr. Morgan will ask.

Mr. MORGAN. Before asking these questions Mr. Budenz, I would like to ask you what you said in that article about Mr. Lattimore.

Mr. BUDENZ. The only thing I said there was the reference, which is in there, to the infiltration of the—so far as I can recall—of these Red writers into the organs of the Institute of Pacific Relations.

Mr. MORGAN. Did you refer, in this article, to Mr. Lattimore as a Communist, or someone carrying out this program?

Mr. BUDENZ. Oh, no, no, no—

Mr. MORGAN. What did you say about him in the article?

Mr. BUDENZ. I just referred to him as the editor during that period. This was in the first rough draft of the article which we discussed before I wrote the article.

Mr. MORGAN. Pursuant to the request of the Chairman, I show you this document, Mr. Budenz—

Mr. BUDENZ. Yes.

Mr. MORGAN. A document consisting of 22 pages —

Senator HICKENLOOPER. Mr. Chairman, in keeping with the past custom in this hearing, where questions or documents or even exhibits have been offered for, or are being put into the record, I think the committee members are entitled to see what these questions are, in advance.

I do not have any objection to any questions that I know of, but we have followed that custom, and I see no reason for not following it still.

Senator TYDINGS. As I understand it, the exhibit is not being put in the record at this point, it is simply being tendered to the witness for the purposes of identification. Later on, if it is offered for the record, I think the committee might want to see it before it is made a part of the record.

However, in this proceeding, there is a rather wide latitude of opinion, and all sorts of latitude with the normal rules of evidence, and the chairman does not want to take an arbitrary position, either on one side or the other — — —

Mr. FORRAS. Mr. Chairman, will you indulge me?

In all fairness, I should say that these documents came to me in the mail this morning, but did not come from Collier's magazine. I think I owe it to the magazine to state that.

Senator TYDINGS. We will give Mr. Budenz time to look over the document, and identify it before the questioning proceeds. That is the point of tendering it to him.

Mr. BUDENZ. This is not, as a matter of fact, first of all, Senator, this is not the original outline to which I referred, or discussed with Collier's, but nevertheless this refreshes my memory. That is to say, this does say:

Two men of distinction who have seen eye to eye with Mr. Field for a long time in regard to China, and who have enjoyed close personal relations with him are Owen Lattimore, author of Solution in Asia, and Joseph Barnes, former foreign editor of the New York Herald Tribune and now editor of the leftist New York Star. As a Communist, I have read the names of Messrs. Lattimore and Barnes frequently referred to in reports by Mr. Field, and also in the most complimentary manner. They have been devoted adherents of the "Poor Chinese agrarian reformer" theory.

Senator TYDINGS. Mr. Budenz, I don't want to stop you from testifying, but I understand the document was submitted to you first for the purposes of identification, and we are getting it into the record without the committee seeing it, which Senator Hickenlooper does not want done.

Senator HICKENLOOPER. Mr. Chairman, I raise the question about this document, I am only asking — — —

Senator TYDINGS. I don't know how to rule. You say that has been the rule. You want to see it. I am trying to meet your point of view. It is difficult for me to tell what you want us to do.

Senator HICKENLOOPER. Mr. Chairman, I said a moment ago that it had been a custom in these hearings that documents and questions, especially if there have been a series of questions submitted, be given to the committee members for their examination.

I see no reason to vary that rule at this moment — — —

Senator TYDINGS. That is exactly what I am trying to do. Mr. Budenz is not to read it into the record before the committee has seen it, in accordance with the request that you just made.

Go ahead.

Mr. MORGAN. May I clear this up. First for identification, that is, of a document presented to us by counsel for Mr. Lattimore. Mr. Budenz, I show you a document consisting of 22 pages and ask you whether this is not your original draft of the Collier's article which appeared in the March 19, 1949, issue of that magazine.

Mr. BUDENZ. It is the original draft, but there was a rough draft before, which I took personally and discussed—there have been, as a matter of fact, about 6 or 10 revisions of that article. There were rather—

Mr. MORGAN. Will you turn to pages 13 and 14, and read into the record the two paragraphs which mention Mr. Lattimore, and are marked with black pencil.

Mr. BUDENZ. Thirteen and fourteen?

Senator TYDINGS. Just a minute. Before you do that, I would like to ask any member of the committee, before it is read into the record, if he would like to see the document so that we will have a uniform procedure.

Senator HICKENLOOPER. Yes: I would like very much to see the document, and also state, in keeping with past objections that have been raised here by some of the members, that if part of that document goes in, the whole document goes in.

Senator TYDINGS. The whole will be put in, if a part is read; but I understand, for the purposes of this interrogation, while it will all be offered, there are certain parts that will be used for interrogation.

Would you like to look over my shoulder, while I am reading this? (There was a conference off the record.)

Senator TYDINGS. Without objection, the whole article will be put in the record, and counsel will continue with his interrogation.

(The document above referred to was thereupon marked "Exhibit 77" and will be found in the files of the committee.)

Mr. MORGAN. Let the article be identified for the record, please.

Senator TYDINGS. It has been requested that the article be identified, marked as the proper exhibit number, and the date of it will be given and any other characteristics. Please identify it so that we can all follow the interrogation.

Will you do that, Mr. Budenz; or will you do it, Mr. Morgan, in your own way?

Mr. MORGAN. I think Mr. Budenz might read the items referred to on pages 13 and 14.

Mr. BUDENZ. There is no date of identification.

Senator TYDINGS. What is that?

Mr. BUDENZ. There is no date.

Senator TYDINGS. What was it written for?

Mr. BUDENZ. This was written as one of several original drafts for Collier's magazine.

Senator TYDINGS. And when was it offered?

Mr. BUDENZ. As a matter of fact, I want to say on this, Senator, that this was first a rough outline or draft which I went down and discussed. Then I sent this. It was intended that this would be very severely edited, and it was presented in that manner. It was not the final publication by any means. However, I may state that I have read this since.

Senator TYDINGS. Let me ask you, what was the date at the time you wrote that article, approximately?

Mr. BUDENZ. That I can't recall, because it dragged on. I tell you it was, approximately, on this Red Menace in China article I had the longest discussion. It took weeks. I think it started back in 1949 and went on into 1950, now, let me say. Is that correct? Yes; I think that is correct.

Senator TYDINGS. Now, is this the first draft you wrote and took down or the second draft?

Mr. BUDENZ. This is the first draft I left at Collier's.

Senator TYDINGS. That is it.

Mr. BUDENZ. I did have a rough draft of it made which we discussed first. In that I had Mr. Lattimore's name, and it was agreed that in regard to certain things it should be left out. Nevertheless, I felt that I should present as much material as I had, and I presented this to Collier's.

Senator TYDINGS. In other words, to sum up, in 1949 and perhaps extending over into 1950, testifying from recollection, after you had discussed this matter for some weeks with the editors of Collier's magazine and had brought in some rough notes originally for the purpose of discussion, you went back home and prepared this article and—

Mr. BUDENZ. No, sir; this was prepared earlier than these extended discussions.

Senator TYDINGS. Oh, this was prepared the first thing—

Mr. BUDENZ. That is right; very hurriedly prepared.

Senator TYDINGS. And you took this down as a basis for the article, and you have written it in a general sort of a way?

Mr. BUDENZ. Yes.

Senator TYDINGS. And left it with Collier's magazine for their perusal and further conference if necessary?

Mr. BUDENZ. We had first an original conference, which I have outlined. We had, secondly, this thing presented for editorial discussion, and then several other issues and copies were prepared. As a matter of fact, it was rewritten four or five times.

Senator TYDINGS. But this is the first one?

Mr. BUDENZ. This was the first left with Collier's.

Senator TYDINGS. I think we have properly identified it. Go ahead, Mr. Morgan, with your interrogation.

Mr. MORGAN. If you will turn to pages 13 and 14, Mr. Budenz, and read that portion of the article relating to Mr. Lattimore, and so that everything you have said about him is comprehended by the committee, read it all.

Mr. BUDENZ (reading):

Two men of distinction who have seen eye to eye with Mr. Field for a long time in regard to China, and who have enjoyed close personal relations with him are Owen Lattimore, author of Solution in Asia, and Joseph Barnes, former foreign editor of the New York Herald Tribune and now editor of the leftist New York Star. As a Communist, I have heard the names of Messrs. Lattimore and Barnes frequently referred to in reports by Mr. Field, and always in the most complimentary manner. They have been devoted adherents of the "poor Chinese Communist agrarian reformer" theory.

It is somewhat startling, nevertheless, to discover Mr. Lattimore as a specific endorser of Dilemma in Japan by Lt. Andrew Roth.

Senator McMAHON. I cannot hear him.

Mr. MORGAN. Read that again.

Mr. BUDENZ (repeating) :

It is somewhat startling, nevertheless, to discover Mr. Lattimore as a specific endorser of Dilemma in Japan by Lt. Andrew Roth. Indeed, Mr. Lattimore backs Mr. Roth as representing "the younger school of American experts."

Mr. MORGAN. Were these the only references—and I am continuing the counsel's questions—were these the only references to Mr. Lattimore in this manuscript?

Mr. BUDENZ. Well, I would have to look through it to see. There is a rough—no, not to Mr. Lattimore directly on the question of his—of the Communists in the Pacific affairs while he was editor, but he is mentioned.

Senator TYDINGS. Was this the only time that his name was mentioned?

Mr. BUDENZ. It seems to be, Senator. I wouldn't say for sure, but it seems to be.

Senator TYDINGS. We can correct it later if it proves erroneous. You have very little time to look it over.

Mr. BUDENZ. Yes, sir.

Senator TYDINGS. But, from your quick summary, you would say these are the only times.

Go ahead, Mr. Morgan.

Mr. MORGAN. Do you recall a conference concerning the manuscript for the Colliers article with Mr. Leonard Parris, who was then the associate editor of Colliers?

Mr. BUDENZ. No, I don't recall specifically. I remember Mr. Parris in general.

Mr. MORGAN. Not recalling the conference, you would not recall, I presume, whether a stenographer was or was not present at the conference with Mr. Parris?

Mr. BUDENZ. I would not, no.

Mr. FORTAS. I beg your pardon, Mr. Morgan. I believe the witness said he did recall a conference at which Mr. Parris was present.

Mr. BUDENZ. Oh, yes, I do recall such a conference; yes, I do.

Mr. MORGAN. Do you recall whether the conference was transcribed by a stenographer or whether a stenographer was present?

Mr. BUDENZ. There may have been. I can't recall it definitely. I had many, many conferences on this article.

Mr. MORGAN. I have been handed, Mr. Chairman—and I want to make it very clear that I haven't seen this material before at all—I have in my hand a document which purports to be a transcription of your conversation with Mr. Parris.

Mr. BUDENZ. Yes, sir.

Mr. MORGAN. And I read certain questions and answers relating to Mr. Lattimore which appear on pages 2 and 3 of that document, the questions being asked—

Senator TYDINGS. Just let me interrupt you. First of all, I think the witness would have no way of identifying that document.

Mr. MORGAN. I am afraid, Mr. Chairman, that it would be impossible to identify it through this witness.

Senator TYDINGS. All right. Then before you pursue it, let the committee have it for a moment, and then we will come back to your question.

Mr. FORTAS. Mr. Chairman, may I say that these questions end up by asking the witness whether he recalls the questions and answers. This is a customary way, as I recall, of refreshing a witness' recollection.

Senator TYDINGS. We will get around to that, but we are not at that point yet, Mr. Fortas.

Senator HICKENLOOPER. Mr. Chairman, I think the procedure is being a little confused here. We have decided that neither Mr. Lattimore nor Mr. McCarthy would be permitted to ask any questions, and apparently counsel for Mr. Lattimore is violating that rule. I believe that the proper method of presentation of any questions he has to ask is to present them to the committee and to be asked through counsel, as has been quite consistently agreed by the committee, and I object to this procedure unless we change our line of conduct of this hearing.

Senator TYDINGS. Mr. Fortas, I do not want to get into whether this is proper or improper, but it would help the committee to proceed with dispatch if you would have questions asked through counsel or members of the committee. I understand, however, that this is not a question. It was a suggestion, but even so, it might be misconstrued, and we do not want any misconstruction.

Mr. FORTAS. Mr. Chairman, may I be heard very briefly on that? It was my understanding that counsel for Mr. Lattimore was at liberty to hand to the committee questions to be asked of the witness.

Senator TYDINGS. That is correct.

Mr. FORTAS. And that is precisely what I have done. I regret my interruptions if they have been excessive, but it was merely for the purpose of facilitating the asking of these questions which I have handed up in due course, and you recognize, Mr. Chairman and the other members of the committee too, that this method of cross-examination, if it can be called such, is an extremely difficult one for counsel who is trying to represent a client, and I am trying to proceed here pursuant to the committee's rules. I respectfully press my request that the questions submitted to the committee which are pertinent to this inquiry and pertinent to this witness' testimony be asked of this witness at this time.

Senator TYDINGS. Well, Mr. Fortas, we will be very glad to ask any questions from time to time that you want asked if you will send them up to the committee, and I think we are all agreed on the procedure, so I really do not see any need of laboring the matter. I think we can go on from here. We will just take a little silence for a moment. Engage in conversation if you want to. Take a recess for 30 seconds while we look at this. If anybody wants to stand up and sit down again, go ahead and do it.

(The committee took a short recess.)

Senator TYDINGS. Please come to order. I suppose, Mr. Morgan, you will want the entire transcript put in the record, and it will be done without objection of the committee, and you may proceed with your interrogation.

Mr. MORGAN. Mr. Chairman, I want to make quite clear that these questions are indicated here, I am necessarily asking them as they are presented to me because I do not want to change them in one way or another.

Now, I have in my hand a document which purports to be a transcription of your conversation with Mr. Paris, and I read certain questions and answers relating to Mr. Lattimore which appear on pages 2 and 3 of that document, the questions being asked by Mr. Paris and the answers being given by you.

Now, let us see, Mr. Chairman. If I am to read those questions and answers pursuant to the request of Mr. Lattimore's counsel, I will need this document.

Senator TYDINGS. Let Mr. Budenz have it a minute to mark places so he will know what you are referring to, then you can proceed.

Mr. BUDENZ. Well, in the first place—

Senator TYDINGS. Don't testify on it yet. Just familiarize yourself with it and wait until the question is asked.

Mr. BUDENZ. Yes, sir.

Senator TYDINGS. Then you can testify at any length you want.

Mr. BUDENZ. What is your request, Mr. Counsel?

Senator TYDINGS. Hand the document back a minute.

Mr. BUDENZ. That you ask—

Senator TYDINGS. Do you want it back?

Mr. MORGAN. I have to ask this question.

Mr. BUDENZ. Oh, I thought you had the notes on it. I am sorry.

I think I appreciate what you want. I just want to be sure.

Mr. MORGAN. I am on page 2 now, Mr. Budenz, Paris ostensibly doing the questioning. The answers are apparently attributed to you:

Question: You tell about Browder saying that the followers of Mao Tse Tung had to be presented in a new light. It's easy to see that this was an idea the Communists had to push. Don't show that they invented this idea, show that they fostered it.

Answer: I'll do that.

Question: You have done one thing here that I think is not good. By inference you implied that Joe Barnes and Lattimore are not Communists exactly but are fellow travelers. You say the Communists supposedly endorsed Roosevelt.

Answer. I think probably what we ought to do is to leave out those names entirely. Perhaps we can rephrase it some way. I said it merely to show that they would add meat to what I was saying.

Question. From our standpoint it seems that you were damning these people. This might put us in an embarrassing legalistic position. We have no particular reason to smear Lattimore. The same thing applies to that thing about Roosevelt on page 5. Why did you use the word "supposedly"?

Answer. It was only because from time to time they were supporting Browder inferentially. They didn't come out and say they were for Roosevelt. Their arguments were for Roosevelt but their candidate was Browder. The Communist support of Roosevelt was not an actual support but only a way of winning the people over that were undecided.

Question. On page 7 you say "This idea of the 'upstanding Chinese Communists, the great agrarian reformers,' was peddled everywhere from that time on." You haven't given a single instance that it was peddled or that the idea was planted by the Communists. Give at least one instance, or more than one if possible.

Answer. Lattimore and Barnes became champions of some of these ideas as time went on.

Question. You're not saying that they acted as Communist agents in any way?

Answer. No.

Question. That ought to be quite clear.

Answer. Oh, yes.

Those apparently are the portions of the question and answer statement given here that were to be called to your attention.

Mr. BUDENZ. Yes, sir.

Mr. MORGAN. Question by counsel for Mr. Lattimore: It is my understanding that at the time of this conference you did not claim that Mr. Lattimore acted as a Communist agent in any way, and that is still your view?

Mr. BUDENZ. No, sir. I was very well aware, especially with Mr. Parris' peculiar questions which indicated to me that he might have a particular viewpoint, that I was to answer in such a way as to avoid Communist attack through libel, such as I know was their policy. Consequently, this was not a discussion under oath. This was a discussion of an article, and I think that I have indicated quite well there that Mr. Lattimore and Mr. Barnes were involved in this campaign. Consequently, I don't recall specifically this wording, by the way, Senator, because I had conference after conference on this matter, but even granted that this was correct, that is my explanation; that is to say, I am always conscious over the telephone with whomever I talk, especially when they ask me peculiar questions, to answer them in such a way as will not involve me in those difficulties which I know the Communists will be very delighted to involve me in.

Mr. MORGAN. Further question: As a matter of fact, Mr. Lattimore states that he never referred to Chinese Communists as agrarian reformers or in any terms that meant the same thing. Can you tell us any specific instance in which you claim Mr. Lattimore did refer to the Chinese Communists as agrarian reformers?

Mr. BUDENZ. Well, I would have to have opportunity to check on that, Mr. Counsel, but my statement against Mr. Lattimore is not that he personally stated this. He was always considered to be in a special and delicate position. But that he was given the responsibility of organizing this campaign.

Mr. MORGAN. Mr. Chairman—

Mr. BUDENZ. I may—I would like to have the privilege of submitting to this committee an analysis of Mr. Lattimore's writings in Time. I have not had the opportunity to do so.

Mr. MORGAN. Mr. Chairman, this document is, of course—I was not familiar with it, and I would like to request, apparently consistent with the committee's wishes, that the entire question-and-answer statement as we have it here we spread on the record at this point.

Senator TYDINGS. It will be put in the record at this point.
(The document referred to is as follows:)

BUDENZ ARTICLE RED MYTHS, STARING CHINA

By Mr. LEONARD PARIS:

Question. The main problem, Mr. Budens, was that we felt that your thesis of this piece wasn't entirely proved. Let me tell you what I think of it: We need more documentation on some of the things. On the second page you say the whole idea of coalition government was concocted by Soviet Russia in order to defeat America in the Far East. I don't doubt that their support of coalition government was a contributing factor, but who first suggested coalition government?

Answer. The Communists.

Question. Before it had been publicly mentioned anywhere else?

Answer. Yes.

Question. I think you ought to mention when and where and by whom coalition government came to public attention.

Answer. It was the Communists who pushed it and made use of it. I will get the authority for this.

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Question. On page 3, the sentence reading: "These Moscow agents, pledged by their own declaration," etc., you quote "a sort of Non-Partisan League." Where does this come from?

Answer. This comes from Browder. That is to say I don't know of anyone who used that phrase. It was used for an argument that the Communists in China are different. However, I will get authority for that statement. I used it because it was pushed by the Communist Party.

Question. Here is an example of the sort of thing that needs more incidents and instances. On page 4 the sentence which reads "At every turn of history, the Chinese Communists, etc." I think it would be well for all readers if you give some examples of that, other than just the pact between Russia and China. You're talking about the Soviet nonaggression pact. We need more examples to support that.

Answer. I'll get you that.

Question. You tell about Browder saying that the followers of Mao Tse Tung had to be presented in a new light. It's easy to see that this was an idea the Communists had to push. Don't show that they invented this idea, show that they fostered it.

Answer. I'll do that.

Question. You have done one thing here that I think is not good. By inference you implied that Joe Barnes and Latimore are not Communists exactly but are fellow travelers. You say that Communists supposedly endorsed Roosevelt?

Answer. I think probably what we ought to do is to leave out those names entirely. Perhaps we can rephrase it some way. I said it merely to show that they would add meat to what I was saying.

Question. From our standpoint it seems that you were damning these people. This might put us in an embarrassing legalistic position. We have no particular reason to smear Latimore. The same thing applies to that thing about Roosevelt on Page 3. Why did you use the word "supposedly"?

Answer. It was only because from time to time they were supporting Browder inferentially. They didn't come out and say they were for Roosevelt. Their arguments were for Roosevelt but their candidate was Browder. The Communist support of Roosevelt was not an actual support but only a way of winning the people over that were undecided.

Question. On page 7 you say "This idea of the 'upstanding Chinese Communists, the great Agrarian Reformers,' was peddled everywhere from that time on." You haven't given a single instance that it was peddled or that the idea was planted by the Communists. Give at least one instance, or more than one if possible.

Answer. Latimore and Barnes became champions of some of these ideas as time went on.

Question. You're not saying that they acted as Communist agents in any way?

Answer. No.

Question. That ought to be quite clear.

Answer. Oh, yes.

Question. You say that the entire history of coalition governments was that Russia took over eventually. We need concrete instances, and examples very much more effective. They must also be complete enough so that they can be quickly identified and so that the reader can see that they are true.

Answer. It will be very brief.

Question. On page 10, "On December 7 last, it was discovered in Washington that there had been a flagrant in the delivery of promised war material and other goods to Nationalist China, etc." Isn't the reason for that simply because Congress didn't appropriate more than that? Isn't it true that more aid went to Greece and Turkey than China simply because more had been appropriated?

Answer. I have to check on that. This was pointed to by the New York Times in an editorial.

Question. On page 11 there is a dubious claim on the unions. "A special secret order was sent out to the Communists, to be pushed in unions and in every occupation where sympathizers were engaged, etc." It sounds as though you can expect to find Communist sympathizers in every union.

Answer. We can change that. It's a document that I'm referring to there. I will look it up. It may be the way it is phrased. The unions are the chief opponents of the Communists. Communists are always trying to work within the unions. In a number of unions they do have Communists as they do in all fields.

Question. "Arrangements were made whereby the legs of book reviewers were to be pulled so that those works which gave a break to the Chinese Communists would receive favorable notices," etc. We need an instance of this. Make the article much more effective by getting an actual case.

Answer. In previous articles, my statements were specific; then they were made very general.

Question. Any documentation?

Answer. No. I can't prove it legally. That's why I use a general phraseology.

Question. Best thing to do is leave it out.

Answer. The trouble is I did have a host of specific examples and then had to take them out.

Question. On the Amerasia case, refresh most of our readers as to what actually happened. Did the defendants get off without any difficulties? How did it work out?

Answer. Jaffe was fined and one other defendant, Larson (I have to check up on this) got a small suspended sentence. Nobody went to jail. Mitchell was not given punishment of any kind.

Question. Can you indicate how Communist pressure was exerted?

Answer. I'll make an effort to check this. This is pretty well known. That's why I didn't go into it.

Question. But people forget details. The actual outcome of the case should be stated and the definite part that the Communists played.

Answer. Definitely. I should tell more of what these documents contain. The plans of Chiang Kai-shek's army and the economic plans of the Chinese Government were in those papers.

Question. On bottom of page 10, "In his address Mr. John Carter Vincent indicated Nationalist China as a place unsound to invest private or public capital." You're not trying to imply that this was a Communist idea, are you? Hasn't it been pretty well demonstrated that Nationalist China was unsound?

Answer. The State Department was supporting Nationalist China.

Question. The point is Mr. Vincent's quotes on Nationalist China may or may not have been the result of the Communists.

Answer. I'll have to look it more closely. It was accepted in the Far East division. I'll bring you more information on this.

Question. If Mr. Carter's advice were taken, you claim there would be an awful fiasco. Isn't there any possibility that part of the trouble in China is the Chinese Government itself?

Answer. Surely.

Question. Never in any part of the article was it admitted that Chiang Kai-shek's government was weak and corrupt. You're trying to show the Communist influence.

Answer. Let me take hold of that. I'll present more examples of Communist activity and show how the activity played its part.

Question. We shouldn't try to convince our readers that Chiang Kai-shek was all white and that Communist propaganda led to what happened over there.

Answer. As a matter of self-defense, America was completely unaware of what was taking place in China.

Question. You have to prove that General Carlson was a party liner-back it up.

Answer. He was such a striking example. He was a Communist many years. I can be stronger. I can give you instances. I can show you who was associated with him on this committee.

Question. On page 21: "It was out of all these pressures, Moscow-directed, that President Roosevelt was persuaded to amend our solemn pledge of China's Integrity made at Cairo to the Yalta promise that Soviet Russia would get Outer Mongolia and even a chance at Manchuria, etc." Moscow-directed pressures were not solely responsible; that is putting it a little too broadly.

Answer. It shouldn't be solely.

Question. "It is from such creation of confusion in the American mind that we have promised aid to China and not given it in the measure it was pledged." You were referring to the New York Times editorial, I presume. Show actual figures.

Answer. I'm glad you raised this about Roosevelt. I can tell more in this piece. The reason I don't go more into the Communist activities is because I don't want to sound repetitious of some of the other articles. The methods used by the Communists have a somewhat similar tone. The tactics described sound like it happened before.

Question. On these things, the more instances you can show to bear out what you say or what your thesis is, the better it will be. It has to be more than just implied or inferred. Make it as definite as you can possibly make it without getting into libel.

Answer. There is a terrific job in writing this. I know certain connecting links which I dare not say. I try to bring them out, but they become somewhat broken, because I cannot give the link. I will make some of those definite changes that you suggest. I will enlarge the information on the Chiang phraseology.

Mr. BUDENZ. Mr. Chairman, am I privileged to make a statement about Mr. Roosevelt, since Mr. Roosevelt's name has been put in here?

Senator TYDINGS. Surely. If you don't mind, unless it has something to do with Mr. Lattimore's disloyalty in the State Department, if we get off into Roosevelt here we are going to be pretty far afield. I do not want to preclude you. However, I am going to ask you to try not to go into something that is totally unrelated.

Mr. BUDENZ. No; I only wanted to say that there was an implication here that I was addressing myself against Mr. Roosevelt. I was only addressing against the Communists. There was no reflection on Mr. Roosevelt whatever.

Senator TYDINGS. That is all right. Go ahead, Mr. Morgan.

Mr. MORGAN. Now, for purposes of clarification, Mr. Budenz, I shall leave this 1937 meeting for a time and pick up a matter which you referred to briefly in your statement there about documents bearing certain initials during the years 1940 and 1941. As I recall, those initials were "L" and "XL" and if I am correct you indicated that those were the—shall we say—code designations for Mr. Lattimore; is that correct? Is that your testimony?

Mr. BUDENZ. Yes, sir.

Mr. MORGAN. Now, can you amplify a little about what documents these were? From what did they come, the documents you refer to?

Mr. BUDENZ. These documents were at official proceedings of the Politburo. They used to get them out by the wholesale, that is to say, almost every word spoken, the whole conspiracy was exposed in these documents, and they were sent to a maildrop in Chicago. When I was in Chicago as editor of the Mid-West Daily Record they were sent to a mail drop in Chicago and there given to Morris Childs, a leader of the national committee. He then gave them to the members of the committee who were there, that is to say, William L. Patterson, Lee Ainesboro, myself, and perhaps one or two others representing the national committee in Chicago. We read these documents for our information as to what was happening in the political bureau, and for our guidance on party people, initials were put in, and in that connection, as I have said, Lattimore's name in the discussions on the Far East appeared as "L" or "XL." They used "Y" with your first initial and other things like that with different other names. I remember—well, I think perhaps I need not go into too wide an area of conversations which were unofficial in character, but I do know that this was the official report of the political bureau on this matter—I mean on all matters, and it was very detailed.

Mr. MORGAN. Are any of these documents, to your knowledge, in existence?

Mr. BUDENZ. Well, I would not know. The point of the matter is we had strict instructions to destroy them all.

Mr. MORGAN. How do you know, Mr. Budenz, that the character "L" or "XL" was the designation for Mr. Lattimore?

Mr. BUDENZ. That was told me by Jack Stachel on one of my visits to New York and, as a matter of fact, on several occasions.

Mr. MORGAN. That was something told to you; is that right?

Mr. BUDENZ. That is right, but Mr. Stachel, who is the man in charge of the conspiratorial apparatus of the party, in his contact with the Communist International and the like.

Mr. MORGAN. Now, let us go to the 1943 meeting to which you have referred. This was a full meeting of the national committee; is that correct?

Mr. BUDENZ. No, sir. This was a meeting of the Politburo, which is very small in number.

Mr. MORGAN. But it is called the national board; is that correct?

Mr. BUDENZ. That is right, but, as a matter of fact, to this Politburo meeting there came a number of other people. I mean, Trachtenberg is not supposed to be a member of the Politburo for legal reasons because he is connected with the International Library of Publishers and he would be linked up legally, so he comes but he is not a member. At this meeting—well, Earl Browder was present; I remember that; and Stachel and Robert William Weiner. I remember Weiner because he didn't always appear at these meetings. Perhaps I could remember others, but I remember them; and also Frederick Vanderbilt Field.

Mr. MORGAN. Now, from this meeting—

Mr. BUDENZ. It may be at this meeting that Philip Jaffe was present. He came to a few meetings through the years with Field, but it is very difficult to place him because he played no part except a very passive one in those meetings.

Mr. MORGAN. Now, how did Mr. Lattimore's name figure in this meeting?

Mr. BUDENZ. This had to do with the fact that Mr. Field reported, as I understand it, that he had seen Mr. Lattimore. He may have communicated with him, but to the best of my recollection and memory—and it is very strong—is that he had seen him and that Mr. Lattimore had said that the apparatus had reported that there was a change of attitude toward Chiang Kai-shek; that we were going to be more hostile to Chiang Kai-shek. There was a discussion on the matter in which Browder did not seem surprised at this development but stated that we must know exactly the emphasis because Browder apparently had information that our emphasis was going to be on the coalition government with the idea of strengthening the Communists, eventually to scuttle Chiang Kai-shek. So far as I remember it, it was agreed that an article should be published in one of the articles of the Pacific Institute of Relations along this line as a beginning, and that article did appear through T. A. Bisson or Jaffe.

Now, the Far Eastern Institute, whom I represented here, which attacks Nationalist China, as I recall—I haven't had a chance to read this article; that is, I haven't been able to read it thoroughly—attacks Nationalist China as feudal China, and Red China is proclaimed as the real China.

Now the substance of that meeting was that Mr. Lattimore should have direct contact with Mr. Field. Now, we had this in the case of the Hitler-Stalin pact, so this is not something abnormal. In the Hitler-Stalin pact period the Communists first came out for the liberation of Poland, although the Red armies were beginning to invade Poland, and they received very sharp instructions to change, so they

then attacked the Polish leaders as betraying their people. So the shift had to be made quickly. This shift had to be made in line.

If you will look up the document you will see on Poland that the Communists changed very quickly there, first coming out for the Hitler-Stalin pact and then for the liberation of Poland and then attacking Poland.

Now, the question in a line is always its emphasis, so the question was raised as to its emphasis, and this discussion continued, by the way, after this meeting. That is, finally we were requested to ask Moscow exactly what is the emphasis on this line, and either through Grace Grange of the Inter-Continent News, which no longer exists—Attorney General Biddle suppressed it as a foreign agent—or through the Political Bureau's own methods, we communicated with Moscow—and we did that regularly, incidentally, and we got back an article from a man whom I recall by the name of Rogoff, which appeared sometime in August, I think, 1943.

The thing is, this condemned Chiang Kai-shek by implication. It condemned the appeasers in the Kuomintang. However, subsequently, when the American press became aroused, Mr. Rogoff said he was misinterpreted, and we received very specific instructions that we were to work the coalition in China; that the coalition was designed to put the skids under Chiang Kai-shek; that we must politely be at least neutral toward Chiang Kai-shek or for him for the time being. Now that is the situation.

Mr. MORGAN. Now, Mr. Budenz, I do not want to restrict your answers at all, and I want you to amplify them freely because we want all the facts as we go through. However, in order that we might have an integrated picture of this entire situation, you are developing, I would like to know, again, if at this 1943 meeting this reference to Mr. Lattimore was a report given to you by Frederick Field; is that correct?

Mr. BUDENZ. And Browder and Stachel; that is, the report was by Field, and the comments to Mr. Lattimore, in an official way, were by Browder and Stachel.

Mr. MORGAN. Fine. Thank you. That is what I wanted to know.

We come now to the last of the meetings, the meeting of 1944. At that meeting was it again a report that was made to you relative to Mr. Lattimore?

Mr. BUDENZ. No. That was not at a meeting. That was Mr. Stachel who came down every day to advise me as to how I should keep in my memory various events. The men in the Daily Worker and people coming to me came with their documents and articles. I had to examine them for the line at that moment and also names. But we were forbidden to keep a list of these names because of the fact that they might be taken out by someone. Therefore, I had to put them in my memory, and Mr. Stachel used to come down and give me information on this question. It was in that connection that Mr. Lattimore was mentioned at the time with the mission of Vice President Henry A. Wallace, in whom, as I say, the Communists were deeply interested.

Mr. MORGAN. Now, going back, Mr. Budenz, to a further matter, I believe you have presently with publishers a book; is that correct?

Mr. BUDENZ. Yes, sir.

Mr. MORGAN. What is the title of the book?

Mr. BUDENZ: Men Without Faces.

Mr. MORGAN. And who publishes it?

Mr. BUDENZ. Harper & Bros.

Mr. MORGAN. What theme have you developed in this book?

Mr. BUDENZ. Well, the name suggests the theme. The name is not arbitrary. It is because of the fact that we were forbidden to photograph most of the leaders of the Communist Party—that is, Biddleman, Tractenberg, or the secret heads of the Communist Party—we had a rule we were forbidden to photograph them. That is why the name of the book, because it indicates the Soviet fifth column in this country. The book exposes the Soviet fifth column in this country. I know, because I am in it.

Mr. MORGAN. Do you develop in this book this picture which you are giving us today, this picture about the 1937 and the 1943 and the 1944 incidents?

Mr. BUDENZ. No, sir; I do not.

Mr. MORGAN. Do you refer to Mr. Lattimore in this book?

Mr. BUDENZ. No, sir; I did not, and there is a specific reason, because if I were to refer to Mr. Lattimore I would be in the same peculiar situation I was in the Wallace situation. In fact, the Wallace situation was the cause of my not putting Mr. Lattimore in this book. The only time that I put Mr. Lattimore in the book was to identify Mr. John S. Service.

Mr. MORGAN. What was that?

Mr. BUDENZ. Mr. John S. Service. Service. And because I made a slight error of fact about Mr. Service, saying that he had advised Mr. Wallace, I corrected that to say "advised Mr. Wallace in the Government with Owen J. Lattimore." That is being made because of the error. Now, the thing—

Senator TYDINGS. Would you repeat that last sentence?

Mr. BUDENZ. I said Mr. Service had advised Mr. Wallace in the Government with Mr. Lattimore. This I had in mind. Mr. Service was really in China and Mr. Service was referred to in the Communist discussions as Mr. Lattimore's pupil, but the thing is I had no information with regard to Mr. Service's political affiliations. Therefore, in order to identify Mr. Service accurately, since I said he had advised Mr. Wallace, and he wasn't an adviser technically to Mr. Wallace, I had in mind that he was in China when the Wallace mission was, and I quoted Mr. Lattimore's name. However, in another book which I am writing Mr. Lattimore is very prominent.

Mr. MORGAN. Mr. Budenz, when was the first time that you ever, to any official agency of this Government, mentioned the name of Owen Lattimore as having any connections of the kind which you are presenting to us today?

Mr. BUDENZ. I didn't catch the question, Counsel.

Mr. MORGAN. The question is, When was the first time that you ever mentioned to a representative of this Government, whether of one branch or the other, anything concerning Mr. Owen Lattimore in the same connection with which you are speaking about him today?

Mr. BUDENZ. Well, I didn't disclose any of these events to the Federal Bureau of Investigation until very recently.

Senator TYDINGS. May I ask how recently, if I do not interrupt counsel?

Mr. BUDENZ. Well, I think, Senator, it was a couple of days after this committee had gone to the FBI.

Senator TYNDERS. It was after our committee had been given the summary of the file, which you learned about through the press, that you went down to the FBI!

Mr. BUDENZ. That is right. I had that practice with the FBI, but when there was a concentrated case I spent hours on it. I have done it not only in this case but in other cases. So that was the practice.

Senator TYNDERS. All right.

Mr. MORGAN. That means, as I understand it, that the first time that you gave information to an agency of the Government concerning Mr. Lattimore was in March of this year; is that correct?

Mr. BUDENZ. Well, that is my impression. That is my remembrance, at least in such detail, and the reason is—I would like to explain that. The reason is because that has been my practice. That is to say, in regard to even the 11 Communist leaders, while I gave general information on them, the concentrated information was not given until the trial.

Mr. MORGAN. Now, if I may ask the question, how soon after you left the party in October of 1948 did you have your first contact with an official agent of the Government concerning Communist matters?

Mr. BUDENZ. Well, for 6 months I asked to be relieved of that matter, until I could collect myself, but finally, after 6 months, the FBI representatives came to my name, and for 3 days, and partly nights, I gave them a considerable amount of information, especially upon events such as Miss Elizabeth Bentley and Goulias, and things of that character on which I was questioned. I responded to questions.

Mr. MORGAN. I presume, then, that would be early in 1949; is that correct?

Mr. BUDENZ. That is correct.

Mr. MORGAN. Now, am I to gather from the testimony this morning, Mr. Budenz, that Mr. Lattimore played a principal role in accomplishing this objective that you have referred to in coalition China policies?

Mr. BUDENZ. That is what I state; yes sir. Some of these reports I received while working with Frederick Vanderbilt Field, Philip Jaffe, and other Communists in the Institute of Pacific Relations.

Mr. MORGAN. Now, I should like to ask, that being true, why from early in 1948 until March of 1950, a period of 4 years, why during all that period did you not call to the attention of some Government agency—and you manifestly were in contact with agents—something about this man that played this prominent role?

Mr. BUDENZ. For the simple reason that there are a number of other people that I have not been able to call to the attention of the Government yet; that is to say, I have been cooperating with the FBI extensively, but largely in the case of prosecutions, and that has taken a good bit of my time. In the time that we dealt together I have responded to questions of the FBI at great length. As a matter of fact, that is one reason I was compiling this list of 400 concealed Communists as, if I may use the term, Senator, my last will and testament to the United States on all I know of the Communist movement, because there are so many people whom I have not been able to identify to the FBI with regard to their activities.

Senator TYNDERS. You are going to turn those 400 names over to the FBI?

Mr. BUDENZ. I am doing that now seriatim.

Senator TYDINGS. They are not necessarily employees of the Government?

Mr. BUDENZ. I would say, Senator, that none of the people in this list are employees of the Government. I have taken them up in the public field first.

Senator TYDINGS. Yes. The reason I ask you that, I was interested in one of the great papers of America as being in this 400. I take it most of the 400 were not employees of the State Department, but we are interested in communism all over the world. I am interested in it, and I am very glad you are turning it over to the FBI, because it is a very important thing to do, but I did not want the impression to prevail that it had anything to do with our investigation of the State Department.

Mr. BUDENZ. It has taken some time, because I have to be careful with each name, as to how I know them and the like. My impression is that I have already turned over to the FBI 200 of these names, and am continuing to do so, and, incidentally, you are correct in your interpretation.

Senator TYDINGS. Then the article that you purported to write about me was not correct?

Mr. BUDENZ. Well, if I said that, it was incorrect.

Mr. MORAN. Continuing, Mr. Budenz, I have in my hand here a photostatic copy of page 12 of the Daily Worker for April 29, 1949. Under the caption there on this page, under the caption "Books," there is what purports to be an analysis or an estimate of Mr. Lattimore's book, Situation in Asia, and I am going to ask if the chairman will permit that Mr. Budenz read that—it may be a little long—because this is the analysis apparently made by the Daily Worker of this book which has played such a part in our discussions here. If there is no objection, I should like Mr. Budenz to read it.

Senator TYDINGS. I can see nothing wrong with it. It is from the paper that Mr. Budenz was the editor of. Mark it with an exhibit number, however, so it can be identified. Will the stenographer make sure to identify it?

(The document above referred to was thereupon marked for identification as exhibit 78.)

Senator TYDINGS. Go ahead.

Mr. BUDENZ. The date of this article was April 29, 1949. And I hesitate to testify on things after I left the party because I am not fully conversant. However, I will do the best I can, Senator, from my best knowledge.

Senator TYDINGS. Go ahead, sir. Read it carefully and slowly and in your own way.

Mr. BUDENZ. "Situation in Asia criticizes United States Government policy in Far East."

I will repeat that. "Situation in Asia criticizes United States Government policy in Far East."

Senator TYDINGS. That is the title of the book, Situation in Asia?

Mr. BUDENZ. That is the title of the review of Mr. Lattimore's book. Incidentally, I might say, so you won't think this is a partisan issue, that Professor Lattimore has severely criticized the administration in the Nation—I can give you the address—in reviewing the White Paper, as ruthlessly imperialistic as a Republican.

Senator TYDINGS. You don't mean from that last remark that Mr. Lattimore and the Republicans are in the same boat?

Mr. BUDENZ. No. No. I say he tries to put the administration in the same boat as the Republicans. That was described by me by this heading here, "Situation in Asia criticizes United States Government policy in Far East."

Now, this is by David Carpenter, a man whom I know, a Communist whom I know.

Owen Lattimore's Situation in Asia is extremely critical of our Government's policies in that immense area of colonial and semicolonial peoples. He shows that our Government has done nothing but alienate the people's forces seeking national liberation in Asia.

Lattimore, who is the director of the Walter Hines Page School of Foreign Relations at Johns Hopkins University, points out that our dependence on the Kuomintang has served only to make the United States hated by the Chinese people. He contrasts, to our disadvantage, the reliance on the unpopular imperialistic agent Syngman Rhee and the maintenance of United States occupation troops in South Korea with the withdrawal of Soviet troops, and the establishment of a native peoples government in North Korea.

He shows clearly that the efforts by the United States Government to make Japan a major bastion against the Soviet Union must end in failure.

Lattimore proposes that our Government in its alliances with dictatorial, corrupt antipeople's forces in Asia—Lattimore proposes that our Government end its alliances—

I misread that—

end its alliances with dictatorial, corrupt, antipeople's forces in Asia. He urges that we stop intervention in the affairs of the colonial and semicolonial countries. He asks that we aid the peoples of Asia to achieve national independence. All this is to the good as far as it goes. But Lattimore goes completely off the beam in his efforts to explain the relationship of political and social forces in Asia and their impact on world affairs, and as long as we fail to recognize the reality of these relations, so long will we be unable to help in the achievement of those aims that Lattimore proposes.

In the first place, Lattimore argues that the colonial and semi-colonial peoples struggling for national independence are developing a third force that seeks to remain equidistant from American and Russian power. He refuses to admit that the struggle is completely an anti-imperialist struggle to drive out the American, British, French, and Dutch who are subjecting the native peoples to superexploitation for their raw materials and as markets for capitalistic products.

Lattimore admits that the Asiatic colonial and semicolonial peoples are looking to the Soviet Union for examples of how oppressed peoples achieve independence and are turning away from the United States because of its imperialist line. But he makes this a contest of tactics which the United States can change by adopting new methods.

Lattimore refuses to see that the reason the colonial people turned to the Soviet Union for their example is precisely because of the overthrow of capitalism and the establishment of socialism in that country. As Stalin points out—

They always have to quote from Stalin. This is in quotes:

"It is precisely because the national-colonial revolution took place in our country under the leadership of the proletariat under the banner of nationalism that parish nations, slave nations, have, for the first time in the history of mankind, arisen to the position of nations which are really free and really equal, thereby setting a contagious example for the oppressed nations of the whole world.

"This means that the October revolution"—now, that is the Bolshevik revolution in Russia, if I may interpret that—"This means that the October revolution has ushered in a new era, the era of colonial revolutions which are being conducted in the oppressed countries of the world in alliance with the proletariat and under the leadership of the proletariat."

That closes Stalin's quotation.

The core of the leadership in the colonial struggle against imperialism and the guaranty of the achievement of national independence lies in the growth and the development of the native Communist parties, springing out of the exploited native working classes, and leaving the exploited working class and the oppressed peasant masses. That is why the imperialists, under the leadership of the United States, direct their main fire against the destruction of these native Communist parties.

Secondly, Lattimore makes the mistake of assuming that the relationship of the United States and the Soviet Union in Asia is that of a struggle for power. Here he falls into the trap laid by American imperialism, which would like to have the reality of its efforts to maintain its grasp of resources and manpower of Asia.

This approach to American-Soviet relationships obscures the truth. The Soviet Union is not seeking world power. When the colonial peoples look for alliances with the Soviet Union, it is because they see in that socialist country the true defender of their national aspirations. When the Soviet Union allies itself with these peoples—

I hope I am not reading this too rapidly.

Senator TYDINGS. No. Go ahead.

Mr. BUDENZ. (continues reading):

It is not just a counteralliance to protect its own borders against the attack of imperialism; it is fundamentally a defense of the national interest of the peoples of these oppressed nations.

Because the peoples of the world recognize that an attack on the Soviet Union is an attack on the defender of their own aspirations, because they see in such an attack on their own efforts to break the hold of imperialism, they join with the Soviet Union in a common friend against imperialism. They have already seen how the peoples of the eastern European democracies were able to protect themselves from the encroachment of imperialism and to begin their own internal development as the result of alliances with and protection by the Soviet Union.

In our own country, if we are to adopt the proposals Lattimore makes for the situation in Asia, it is necessary for us to loosen the hold of the imperialists on our Government. Otherwise, our official policies will continue to be that of oppressing the colonial peoples in the interests of our monopoly capitalists.

Mr. MORGAN. Mr. Budenz, in reference to that article—of course, it speaks for itself and I do not want to presume to characterize it, but in reading it, as I recall, there are in that review certain criticisms of the book; is that correct?

Mr. BUDENZ. Yes, sir; that is correct.

Mr. MORGAN. Now may I ask you, as having been editor of the Daily Worker, was it ordinary or customary in reviews of books in the Daily Worker to speak critically of one who is projecting, so it has been stated here, a policy for the Soviet Union?

Mr. BUDENZ. Yes, sir, I can explain to you that we had the policy in protecting people who are out beyond the party proper, to criticize them with faint praise—that is to say, that is, to damn them with faint praise—rather, to praise them with faint damn, is the way I want to put it.

Now I can give to this committee examples of that, but I just will have to have time. However, I would like to analyze this, not as a member of the party but for just a moment out of my experience.

In the first place, you will note that the whole emphasis here is on the "Situation in Asia" criticizes United States Government policy in the Far East." You will note Mr. Lattimore's premise of the immediate action is approved. That is the important thing for Stalin. Communists don't go around saying, "We are Communists." They are pushing a certain line; I mean the Communists out beyond the party. This

approves Mr. Lattimore's main premise, and it also comes as a conclusion of that where it says that what he is advocating, if followed out, certain things will have to be done.

What does it speak to Mr. Lattimore under all this extensive verbiage? It speaks to two things: that he puts forward a third-course idea, and, secondly, that he is still advocating capitalism in a way. Now, the Daily Worker knows that Mr. Lattimore in his position can do nothing else but be with capitalism as such. They know that this third force exists because it was discussed while I was in the party, that it is something which the Communists have proposed from time to time; they constantly develop third forces. At the present moment they understand that it is practically impossible—I am only say that, not as a far eastern expert, Mr. Chairman, which I am not, but merely from the discussions within the party before I left—that it is impossible to develop a third force in Asia at the present moment. That is to say, either you are going to be with Chiang Kai-shek or you are going to be with the Reds. That is to say, you can't take a neutral attitude.

Senator TYDINGS. I do not want to be with either one of them in the situation right now.

Mr. BUDENZ. I could discuss that, but I do not choose to do so, but it would only be my personal opinion, and in that respect I wish to refrain. In any event, in analyzing this article we have this method used by the Daily Worker on two men of distinction, men who are adhering to their general policy and under our discipline, but who, if they embrace them too closely, would simply be destroyed. Now, I can give to the committee at the time granted examples of that out of my experience on the Daily Worker.

Mr. MORGAN. As I gather your testimony, then, the fact that there was criticism here of the book does not alter in any way the conclusions you have drawn or the opinions you have expressed concerning it?

Now, Mr. Lattimore, I believe—

Senator HICKENLOOPER. Did you get an answer to that question?

Mr. BUDENZ. Oh, yes.

Senator HICKENLOOPER. He shook his head?

Mr. BUDENZ. Oh, I beg your pardon. I said, "No, sir," but very faintly. Thank you, Senator.

Mr. MORGAN. Dr. Lattimore testified, Mr. Budenz, that he participated in an organization which raised funds for Finland during the Russo-Finnish war in 1940. Would that indicate to you that he was a Communist sympathizer?

Mr. BUDENZ. That he was a Communist sympathizer? That doesn't indicate that he was a Communist sympathizer. You would not necessarily have a Communist sympathizer connected with that, but it would not indicate that he was not a Communist. I mean to say that presence on that Finnish committee were not guarantees that men were not members of the Communist Party. I don't know that this is quite the thing to do, Senator, but there has been a very famous name in the headlines from time to time. I know of a specific exemption given to a specific gentleman in this respect and to others. I don't know about Mr. Lattimore's case.

Mr. MORGAN. Now, as a general proposition, would you say that contributing to Finland during this period of the Russo-Finnish war was or was not indicative of Communist sympathies?

Senator TYDINGS. You mean the Finnish-Russian war?

Mr. MORGAN. Finnish-Russian war; yes.

Mr. BUDENZ. I would say in general it was not indicative of Communist sympathies, but I would say, to my knowledge—and, as I say, I know of at least one instance, maybe more, where exemptions were granted to people who were in delicate positions to aid the Finnish campaign. The proposition was put up: A few dollars to Finland, what does that hurt in the situation compared to protecting these comrades?

Mr. MORGAN. The fact that Mr. Lattimore may have aided the Finns would not alter your conclusion in any respect?

Mr. BUDENZ. It would not. That is to say, I don't want to be so arbitrary as that. I would give it consideration, but it would not alter it, knowing what I know.

Mr. MORGAN. Dr. Lattimore referred in his testimony, I believe, to the fact that he had and does support the Marshall plan. What observation would you make with respect to that, Mr. Budenz, if any?

Mr. BUDENZ. Well, of course, now here I am testifying to events after I left the party, and I hesitate to do that, Senator, but if my general opinion out of my experience is desired, I shall give an answer. That would not affect my judgment at all, considering his book, Situation in Asia, which I have only read very hastily, but I agree thoroughly with the World-Telegram, that Uncle Joe couldn't state it any better than Mr. Lattimore has done in his Situation in Asia when he states that the Soviet Union is looked to—I don't want to give an exact quote—with awe and wonder by the Asiatic peoples, whereas the United States is only regarded as the occasion for cannon fodder for them. Now that thing is just merely a popularized expression of an attack on the imperialism by the Communists. Knowing that, and knowing that the Communists do give exemptions to men who are concealed, I would say that Mr. Lattimore—of course, I can only give my opinion here—could have been excused on the Marshall plan in order to continue activities in the area to which he is assigned. There have been cases likewise of that to which I can refer if I am given time.

Mr. MORGAN. It is your testimony, therefore, that the fact that Dr. Lattimore may support the Marshall plan has no necessary bearing on whether he may or may not have been carrying out a policy sympathetic to the Communists?

Mr. BUDENZ. If in his main line of assignment he continues to support the Stalinite policy, many things are exempted. That, however, does not indicate that I have any knowledge today of Mr. Lattimore's position.

Mr. MORGAN. I understand your testimony relates to prior to the time you left the party in 1945?

Mr. BUDENZ. That is correct.

Mr. MORGAN. It has been stated, Mr. Budenz, and the characterization made with respect to Mr. Lattimore—at least in one instance—that he was the top Soviet agent in this country. Do you care to make any observation on that?

Mr. BUDENZ. Well, to my knowledge, that statement is technically not accurate. I do not know, of course, the whole story, what other evidence there is, but, from my own knowledge, I would not say he was a top Soviet agent.

Mr. MORGAN. The statement has been made, I believe, in substance that Owen Lattimore is a Communist subject to Communist discipline. I will ask you if you have ever exercised discipline over him.

Mr. BUDENZ. I have participated in meetings of the Politburo which have exercised discipline over him, and to that extent was a participant in the discipline. Personally I have not exercised any such discipline.

Mr. MORGAN. The discipline to which you are referring here, I presume, is the discipline exercised over members of the Communist Party by party leaders; is that correct?

Mr. BUDENZ. That is correct.

Mr. MORGAN. Now back to the statement that has been made.

Senator Lodge. Now what was it? Let us have that elucidated, please.

Mr. BUDENZ. Well, the discipline I referred to were these various assignments and instructions to which I pointed. That is what discipline means; and also the fact that reports were made as to his attitude from time to time. Now, once or twice—although, unfortunately, today I can't recall the exact dates. I can on a subsequent appearance before this committee if it is desired. It was indicated from time to time that Field and Lattimore did not fully agree on policies of some kind or another—the carrying out of policies—but Field always said, "That is the same way as with Harry Bridges, with Ben Gold, and Abraham Flaxer." You must understand that we criticized Communists right in the Daily Worker. We criticized Abraham Flaxer right in the Daily Worker. We did it to cleanse the party of certain actions of Flaxer. We criticized John Anderson by name. We did that in order to clear the party of certain acts of Anderson. In other words, there was an appraisal made there of these reports.

Senator TYNDERS. That does not clarify the doubt in my mind.

Mr. MORGAN. Suppose you ask the question, Senator.

Senator Lodge. I would like to know a specific instance when an order or an instruction was given and carried out.

Mr. BUDENZ. Well, the order to represent the Chinese Communists as agrarian reformers was certainly carried out, according to reports coming to me. It was carried out through the mobilization of writers in that field. Yes, it was, but specifically I do not know because I did not hear the detailed report on the matter.

Senator Lodge. Is that the most concrete and specific illustration there is?

Mr. BUDENZ. That is the most concrete, yes, sir.

Mr. MORGAN. Mr. Budenz, going back to that observation concerning Mr. Lattimore that has been developed here. He has been characterized as a member of the Communist Party subject to Communist discipline. I would like to ask you if you, of your own knowledge, know that to be true.

Mr. BUDENZ. That is to say, you mean whether I met Mr. Lattimore in a Communist Party meeting. I have known it of my official knowledge, represented to me by a man like Jack Stachel. Incidentally, Senator Lodge, Jack Stachel is one of the disciplinarians of the Com-

munist Party, and when he designates a man I think you will find that he has authority to do so.

Senator LODGE. What happens if you don't do what you are told?

Mr. BUDENZ. Well, first of all, you take Harry Bridges; he didn't always do what he was told. He was given a little time to think it over because he was so valuable, and then he was brought into line.

Senator LODGE. He what?

Mr. BUDENZ. He was brought into line. If you don't do what you are told you are expelled from the party. Now, this expulsion from the party, you understand, Senator, when it comes to concealed communism, is never announced. At the time the party tried to blackmail people by saying that they were Communists when they had denied it before. They tried to do it with regard to Mike Quill of the Transport Workers, and including the Maritime Workers, but as a rule no case is made of that in the case of a concealed Communist. It would impair the ability to carry on this type of work.

Mr. MORGAN. Back to the question, Mr. Budenz—and I want to explain why I regard it as significant. The statement has been made concerning Dr. Lattimore, that he is a member of the Communist Party subject to party discipline. Again, I would like to ask the question: Do you, of your own knowledge, know that to be true?

Mr. BUDENZ. All that I know I have presented to the committee. I think they can judge themselves. I can say this: Senator Tydings thinks not.

Senator TYDINGS. I would like to get your answer, yes or no. It is a perfectly fair and proper question, and I think that the counsel is entitled to have you testify directly to the point either one way or the other.

Mr. BUDENZ. Very well. I have no desire to evade. I just thought this might be a legal question.

Senator TYDINGS. No.

Mr. BUDENZ. The point is this: I would say—of course, the question of personal knowledge is a legal question in a certain way—but I would say, so far as meeting Mr. Lattimore, as seeing him in meetings, that I have never done so, that I have never seen any vestige of his Communist Party membership. What I have received is these official reports which are quite binding and were binding on me as a member of the Communist Party.

Senator TYDINGS. Well, I think you made a better explanation, and I don't want to put words in your mouth and you can answer it either way, but the question was the fair way. Do you, of your own knowledge, know, whatever the question was? Now, your answer is you either do or you don't.

Mr. BUDENZ. Well, the question is what we mean by "personal knowledge," Senator. If you mean—I do not—I have not seen Mr. Lattimore in a Communist meeting; I have not met him as a Communist, I would say—

Senator TYDINGS. Well, let me put it to you this way: without relying on what you have been told, do you know, of your own knowledge, whether it is yes or no?

Mr. BUDENZ. Oh, I can answer that readily.

Senator TYDINGS. Yes.

Mr. BUDENZ. Outside of what I was officially told by the Communist leaders, I do not know of Mr. Lattimore as a Communist.

Mr. MORGAN. Now one further point that I would like to have cleared up for the assistance of our investigation here. You referred to corroboration of your testimony here, I believe. Would you care to amplify on what that corroboration might be?

Mr. BUDENZ. Well, of course, I can't tell what the character of the answers are going to be by Frederick Vanderbilt Field and Jack Stachel and Philip Jaffe.

Mr. MORGAN. I believe you have indicated that those gentlemen should be subpoenaed.

Mr. BUDENZ. That is my stalwart opinion. For instance, I believe that Mr. Field above all should be subpoenaed, and also his financial records, and any other records he might have still existing; but the other men should be subpoenaed also. Now, the thing is that here we have, in my opinion, a very large problem for the United States. In fact, if it didn't sound rather excessive, I would say one of the largest exposes that America has ever seen, and it lies in the hands of these men. And in addition to that—although for the moment I am not sure of it—since the matter was confined to such a small group of people, I am convinced that there are others who know better than I do in the sense the Senator has asked me about some of these matters.

Now I shall be pleased, insofar as I can, upon trying to refresh my recollection, to submit certain names which I think might be helpful. They may not be helpful, but I am convinced—I know there is corroborative evidence in existence.

Senator TYNDERS. I wonder if the counsel and the committee will bear with me just a minute to follow a suggestion you have made about Mr. Field and Mr. Stachel and some of the other names that I don't recall. From the background of your testimony, if these men are summoned and sworn can we believe their testimony?

Mr. BUDENZ. Well, I would say that they would be inclined to lie, but, Senator, there are skillful—[laughter]—just a moment. But there are skillful means of eliciting from them information, and there have been—

Senator TYNDERS. We would try that, but I would just assume—

Mr. BUDENZ. No. No; I do not assume they are going to come here except as hostile witnesses. However, Mr. Field has in his hands a great deal of information, records, and the like, which are valuable to the Government of the United States and to the infiltration. Now I think you can assume right from the very beginning that their inclination will be to lie, but as in the trial of the 11 Communists, a great deal of information was elicited from them that was of value. I believe that enough information will be elicited to lay the foundation for further investigation.

Mr. MORGAN. Now this point is of more interest to me, although it is of great interest to the committee. Apart from the subpoenaing of these witnesses you have mentioned, have you at this point, Mr. Budenz, any suggestion for further developing our investigation? If you think you should pass it on to the committee in executive session, that is quite all right, but if you have any suggestions to give us for developing this picture, we would welcome them and like to have them.

Mr. BUDENZ. I would like to give the committee in executive session several suggestions.

Senator TYDINGS. Your wish is respected, and we will call a meeting in executive session.

Mr. FORTAS. Mr. Chairman, may I interrupt? I have here a witness whom I suggest be called. This witness has to leave tonight, and I was wondering if it was possible to put him on this afternoon. This witness was head of counterintelligence and general intelligence for General MacArthur during the war. I think that he can give this committee some testimony that will be very valuable, and he has to leave tonight. Can we put him on this afternoon?

Senator TYDINGS. That is all right, Mr. Fortas, but you have already said that you want the witness summoned today under the suggestion that you have outlined. I would like to have Mr. Budenz continue so we can all cross-examine him first, but I would imagine from what you have said and from what I have learned that this witness will not consume a great deal of time; is that correct?

Mr. FORTAS. Yes; that is correct.

Senator TYDINGS. I would like to put it up to the committee and to accommodate you. I think your request is a reasonable one, and in any court of law under similar circumstances I believe it would be honored. So I would like to put it up to my fellow members here and see if we cannot do that, get rid of your witness, and go on with Mr. Budenz this afternoon.

Senator GREEN. I suggest we defer it until lunch time.

Senator TYDINGS. Well, I have got to cancel some matters. This matter takes 4 or 5 or 6 hours of my time a day, arranging for subpoenas, correspondence, and what not, and I just have to have an hour in the middle of the day.

Senator GREEN. It is not only taking your time and Mr. Budenz' time, but the time of some of the other members of the committee.

Senator TYDINGS. Well, I would like to suggest that the witness be called immediately after we reconvene at 2:30. Is there any objection from any member of the committee?

Senator HICKENLOOPER. Yes, Mr. Chairman; I object to the technique of interfering with the continuity of this testimony until it is completed, and I seriously urge the necessity in any orderly procedure of completing Mr. Budenz' testimony and then the committee meeting to see whether it has other testimony that it desires to put on or not, and I feel very strongly that this matter should go through to its completion in an orderly fashion and not be interrupted and the hearing put at cross purposes, so that we can get through with one thing at a time.

Mr. FORTAS. I beg your pardon, Mr. Chairman, but the Senator referred to my request as a technique. I offer this brigadier general of the United States Army, retired, as a witness here, and I shall ask him to testify. He has told me that he must leave town tonight. I assume that the Senator does not challenge that statement.

Senator TYDINGS. What is your position, Senator Lodge?

Senator LODGE. What has he got to do that is more important than testifying here on the protection of the United States against communism?

Mr. FORTAS. I do not know.

Senator LODGE. Why can't he stay over until tomorrow?

Mr. BUDENZ. Senator, may I as a witness under subpoena, make a suggestion?

Senator TYDINGS. Just a second.

Mr. BUDENZ. So far as that is concerned, Senator—

Senator LONG. I would be willing to have a night session with the committee and let Mr. Budenz continue and then hear this witness tonight.

Senator TYDINGS. Assuming that he is not finished then? Because I do not think Mr. Budenz is going to be finished for a couple of days.

Mr. FORTAS. Mr. Chairman, this entire testimony, in my judgment, will take 15 or 20 minutes, and I should like to accommodate this gentleman that came here of his own free will.

Senator TYDINGS. We will take a vote on it. How do you vote, Senator HICKENLOOPER?

Senator HICKENLOOPER. I vote to continue with Mr. Budenz' testimony until it is through, then I have no objection to other witnesses that may be put on, in the judgment of the committee.

Senator TYDINGS. Senator Green.

Senator GREEN. I decline to vote at this time. It ought to be taken up with the committee in executive committee meeting.

Senator TYDINGS. They would like an answer here.

Senator GREEN. I know they would.

Senator TYDINGS. We could stay in executive meeting an hour and get no lunch, if I am right. I don't see why we cannot make up our minds—it is all open and above board—for whatever reasons we have, which I believe will all be good. Senator Lodge?

Senator LONG. Well, I don't know enough to vote on this thing. The facts have not been quite clear to me.

Senator TYDINGS. Senator McMahon!

Senator McMAHON. I will vote at 4 o'clock. It seems to me that by that time the general can get a plane or after that get his testimony in. I see him shaking his head. I assume he is the gentleman. What is the general's deadline?

Mr. FORTAS. He has an 11 o'clock train.

Senator McMAHON. Eleven o'clock tonight?

Mr. FORTAS. Yes, sir.

Senator TYDINGS. We cannot sit that long. Many of us have engagements. I have two to speak tonight for over a month's standing, and that is the reason I have called the meeting for tomorrow morning.

Senator LONG. We have received no notice, Mr. Chairman, and I regret that very much.

Senator TYDINGS. Well, I do too, because I instructed that the notice be sent out, and it must be a misunderstanding.

Senator McMAHON. We can take this up later this afternoon. I don't share your pessimism, sir.

Senator TYDINGS. The committee will stand in recess.

Senator McMAHON. Senator, I don't share your pessimism, sir.

Senator TYDINGS. I beg your pardon.

Senator McMAHON. We can probably determine this question this afternoon. I think we can probably bring it up again.

Senator TYDINGS. The committee will stand in recess until 2:30, at which time Mr. Budenz will go on the stand. In the meantime we will take your proposition under advisement.

(Whereupon, at 1:05 p. m., a recess was taken until 2:30 p. m. of the same day.)

AFTERNOON SESSION

Senator TYDING. The meeting will come to order.

Do you want to say something, Mr. Fortas?

Mr. FORTAS. Mr. Chairman, I would like respectfully to renew my request that the brigadier general of the United States Army, retired, to whom I referred before the luncheon recess, be allowed to testify this afternoon. He is here as a volunteer, out of a sense of public duty, and I ask that this committee extend to him the courtesy of hearing his testimony this afternoon, so that he can leave town tonight.

Senator TYDING. Well, I have had no chance, Mr. Fortas, to discuss it with any of the four other members of the committee during recess.

The committee has heard the request from Mr. Fortas. I will be glad to have your advice. I do not want to make any statement myself, until the committee gives me its opinion.

Senator HICKENLOOPER. Mr. Chairman, I shall not hesitate to give you my opinion. It is the same as it was. If this request is granted, then Senator McCarthy has an equal right to interpose witnesses in between the beginning and the termination of other witnesses, and if I supported this request, I would have to support a request of that kind on the part of Senator McCarthy, which I have no intention of doing; and, I think that the testimony of this witness should go forward until completed.

Mr. Lattimore was permitted to go forward with his testimony completely, and without interruption until it was completed.

This witness should, when Mr. Lattimore takes the stand again, if he does, be accorded the same privilege, and this general has, if he is a retired general, has nothing that is so important, that is, any more important unless it should be some acute personal matter, than to make himself subject to the convenience of this committee which, as far as I am concerned, would be immediately following Mr. Budenz's testimony.

Senator TYDING. Senator Green.

Senator GREEN. Mr. Chairman, I move that he be given the privilege of putting on his testimony at 4 o'clock today.

Senator TYDING. Is there a second to the motion?

Senator McMAHON. Yes, I will second it.

Senator TYDING. Are you ready for a vote?

Senator LODGE. No.

Senator HICKENLOOPER. I move a substitute to that, if we are discussing our business in the open.

Senator LODGE. I would like to—

Senator HICKENLOOPER. I would like to make a substitute, so you can have the issue before you. I move that the motion be amended so that it reads that this witness, whoever his name is, he has not been announced yet, may be permitted to testify at the conclusion of the testimony of Mr. Budenz, in this open hearing. I do not refer to executive testimony of Mr. Budenz.

Senator LODGE. Mr. Chairman, I presume that this witness has no acute personal emergency, of life and death nature, that requires him to be out of Washington tomorrow. If there had been such an emergency, we would have been told about it, and I think we ought to think very carefully before we start to interrupt presentations by

the insertion of witnesses, because if it is done for one, it will be done for all. When you once start doing it, the atmosphere of chaos and pandemonium that is all too prevalent around here anyway, is going to get worse, and that is going to be bad for everybody, bad for the disputants in this case, and bad for the national interest.

I am willing to have a night session. Let Mr. Budenz finish and then put on this general; but, I cannot condone anything which is going to increase the disorderly atmosphere of these proceedings.

Senator TYDINGS. Gentlemen, we have a motion. We have had an amendment, and it looks like it is two to two, but I will put the question:

Those in favor of the amendment will signify by holding up their hands.

(Senators Hickenlooper and Lodge raised their hands.)

Senator TYDINGS. Those opposed.

(Senators Green and McMahon raised their hands.)

Senator TYDINGS. The Chair will vote with the minority and we will not hear the general.

Go ahead with your testimony, Mr. Morgan.

Mr. MORGAN. To resume, Mr. Budenz: This morning, reference was made to the fact that Mr. Lattimore has supported the Marshall plan, according to his testimony, contributed to the Finnish-Russian—in the Finnish-Russian war, to the Finns—

Senator McMAHON. By that announcement, you mean we will not hear him until after the questioning is finished, but if that questioning should finish early, then we will hear him?

Senator TYDINGS. That is right, and I only did this because I do not want to get into a vote where there are three on one side and two on the other. I do not think it is good for the country.

Personally, I would like to have accommodated you, General, but I don't think it would have been a good thing for this hearing.

Mr. FORTAS. Mr. Chairman, there are no rights in these proceedings, as I understand it, for counsel to obtain subpoenas.

Senator TYDINGS. Mr. Fortas, we will be glad to subpoena any witnesses that you ask us to subpoena.

Mr. FORTAS. This general is a completely volunteer witness. He came here out of a sense of public duty. He was not communicated with, in the first instance, by me or Mr. Lattimore or Mrs. Lattimore or anybody on their behalf. I have asked the courtesy for this fine gentleman, who has so demonstrated his public spirit, to be able to take the stand here for 15 minutes, and that has been denied to me.

I now ask for a recess for 2 or 3 minutes, so that I can confer with him. I certainly do not, myself, want to ask the committee to subpoena, against his will, a gentleman who has shown that fine spirit, and a gentleman of this caliber.

May I have a 2- or 3-minute recess?

Senator TYDINGS. I think your request is a fair one and without objection, for 2 minutes we will give you a chance—

Senator HICKENLOOPER. Mr. Chairman, I object to this kind of procedure. This meeting was called to hear the testimony of—

Senator TYDINGS. The objection is sustained.

Senator HICKENLOOPER. Of Mr. Budenz.

Senator TYDINGS. You cannot confer. We cannot give you any chance at all. You will have to do the best you can, Mr. Fortas.

Go ahead, Mr. Morgan.

Mr. MORGAN. To resume, Mr. Budenz: Reference was made earlier this morning in your observations, when they were solicited on Dr. Lattimore's statement concerning the fact that he had supported the Marshall plan, had contributed to the Finns in the Finnish-Russian war, and reference was also made to the book review in the Daily Worker relative to his book, and you expressed your observations on it.

I have one further matter that I would like for you to comment on, if you care to.

In April of 1949, we are advised that a Soviet magazine called Mr. Lattimore "a learned lackey of imperialism."

Now, I ask you if such a statement, appearing in a Soviet magazine, would have any relationship, in your opinion, to the matters concerning which you testified today, or in any way affect your opinion?

Mr. BUDENZ. Well, I would first have to see the article and examine it very closely. This is something that comes out of the clear blue sky. I would have to see the article and examine it in order to understand the circumstances which caused it, and the whole atmosphere around it. Therefore, I would request that I be permitted to see the article and to study it.

Mr. MORGAN. Unfortunately, we do not have it here. You do not care to make any observation from that statement?

Mr. BUDENZ. I do not care to make any observation, when I am outside the party, on an article which is so vague as that.

As a matter of fact, on any documents within the party today, I would want the privilege of studying them for several days before passing upon them, for this reason: That the Soviet tactics are such that I would be wise to do that, to understand exactly what the circumstances were which caused such an observation, if it were made, and what other observations were made.

Mr. MORGAN. By reason of certain suggestions that have been made in our record here, to possible parallels, Mr. Budenz, I would ask you if you know of your own knowledge whether there is a parallel between the writings of Dr. Lattimore and the Communist Party line relative to the Far East?

Mr. BUDENZ. On that question, I would request from the committee permission, which I intended to do, it may have been omitted in my original statement—to submit a regular written analysis on this matter, and be subjected again to cross examination, if that is found necessary. However, I am not in position today to go into this matter in any extensive fashion.

Senator TYDINGS. Dr. Budenz, as I understand it, you have not made the analysis and have not it available right now.

Mr. BUDENZ. That is right.

Senator TYDINGS. So that you would want time to make such an analysis, in the event the question is pressed?

Mr. BUDENZ. That is right.

Senator TYDINGS. Let me get to the point, and I will turn it back.

Mr. BUDENZ. Excuse me.

Senator TYDINGS. You do not have it available with you, or in any place you can get it—already completed?

Mr. BUDENZ. That is right.

Senator TYDINGS. Go ahead, Mr. Morgan.

Mr. MORGAN. Mr. Chairman, I believe that is all the questions I have at this particular point.

Senator HICKENLOOPER. Mr. Chairman, I wonder if Mr. Morris, assistant counsel, might be permitted to ask some questions?

Senator TYDINGS. I think the committee, with the one counsel, unless we are going to bring in all our investigators, that is a rather questionable procedure, and as far as I am concerned, I think the committee members should stay within the purview of this thing, and ought to rely on the witnesses and the questions through the committee members and by the chief counsel of our organization.

Senator Green, do you have any questions?

Senator GREEN. Yes, I have a few questions to ask.

You, this morning, Mr. Budenz, referred to Father James F. Kearney?

Mr. BUDENZ. Yes.

Senator GREEN. As the source of certain information?

Mr. BUDENZ. Yes, sir.

Senator GREEN. What was the information?

Mr. BUDENZ. Oh, I introduced to the committee, the article—it is an article on Mr. Lattimore.

Senator GREEN. Yes?

Mr. BUDENZ. An analysis of Mr. Lattimore.

Senator GREEN. I mean, in addition to the article you introduced, do you have any other information from Father Kearney?

Mr. BUDENZ. I have not, no, Senator.

Senator GREEN. Do you know where Father Kearney got his information?

Mr. BUDENZ. I do not know, sir.

Senator GREEN. Did he tell you, or did he not, that he got it from Alfred Kohlberg, of New York?

Mr. BUDENZ. No, sir.

Senator GREEN. Do you know Mr. Kohlberg?

Mr. BUDENZ. Oh, yes; I know Mr. Kohlberg. I also know Archbishop Yu Pin, Archbishop of Nanking.

Senator GREEN. You have known him for a long time?

Mr. BUDENZ. Who?

Senator GREEN. How long?

Mr. BUDENZ. Who do you mean?

Senator GREEN. Kohlberg.

Mr. BUDENZ. Oh, Mr. Kohlberg? Yes, I have known him for some time.

Senator GREEN. How long?

Mr. BUDENZ. Well, I should say a couple of years at least.

Senator GREEN. Is that all?

Mr. BUDENZ. The first time I met Mr. Kohlberg, in my recollection, is when he came to ask me in regard to Communists in the Institute of Pacific Relations. Now, whenever that was, it isn't more than a couple of years.

Senator GREEN. Is it before you left the Communist Party?

Mr. BUDENZ. Oh, no, sir. Long after. In fact, very long after.

Senator GREEN. Well, you were in agreement with Mr. Kohlberg?

Mr. BUDENZ. On what?

Senator GREEN. On policies to pursue.

Mr. BUDENZ. Not necessarily.

Senator GREEN. Not necessarily, but were you?

Mr. BUDENZ. No, sir. I am not fully in agreement with Mr. Kohlberg, always.

Senator GREEN. Do you know what his interest in the matter is?

Mr. BUDENZ. I have no idea.

Senator GREEN. He has an interest in it, you think?

Mr. BUDENZ. I have no idea.

Senator GREEN. You don't know?

Mr. BUDENZ. No, sir; I don't know, Senator.

Senator GREEN. Well, this is a matter very near your heart, and very near his, and you have seen each other a good deal?

Mr. BUDENZ. I have only spoken to Mr. Kohlberg, as I have to other people who have represented themselves as being against communism—I have not inquired into his business or anything of that sort. I have not adopted his views, necessarily.

Senator GREEN. Not necessarily; no.

Mr. BUDENZ. I have not adopted his views.

Senator GREEN. We don't necessarily have to adopt anyone's views, but do your views coincide?

Mr. BUDENZ. They do not; no—not entirely.

Senator GREEN. Well, as to China?

Mr. BUDENZ. As to China, yes; but, Senator, I did not know it was an offense in America to be opposed to communism in China, which I am.

Senator GREEN. That has been brought up. The question of whether you are or are not opposed to it in China is one of the questions I thought you yourself raised in connection with Mr. Lattimore.

Mr. BUDENZ. I am opposed to communism in China, and so far as Mr. Kohlberg professes to be, I am in agreement with him; but, I disagree with him on many domestic policies in the United States. I cannot go into all of those.

Senator GREEN. You have read his views on China?

Mr. BUDENZ. What was that?

Senator GREEN. You have learned his views on China?

Mr. BUDENZ. Well, I have a general idea of his views on China. I don't say that I know them thoroughly; no.

Senator GREEN. Not necessarily, but so far as you know you do agree with them?

Mr. BUDENZ. Well, I agree in this respect: I agree that China has been a terrific disaster, one of the greatest blows the United States has ever received, and I do not know what Mr. Kohlberg thinks about the recognition of Red China, but I suppose he opposes it. I would think that the recognition of Red China would be one of the greatest disasters in American history, because it would consolidate—

Senator GREEN. You do agree—

Mr. BUDENZ. Consolidate Stalin's control of thousands of men. There is a reason for why I stand for that. Mr. Kohlberg had no influence on me.

I know that in 1934 the Communist Parties of China, the United States, the Philippines, and America made an agreement which you may find in popular form in the Daily Worker. I can bring it up here later—that was, of 1934, to wipe American imperialism out of the Pacific, and we were impressed, Senator, in the Communist move-

ment, with the importance of a Red China, to the defeat of the United States, and the establishment of a world military dictatorship.

Mr. Kohlberg had no influence on me in this respect, any more than many other people I meet have effect upon me.

Senator GREEN. But, you have discussed it with him?

Mr. BUDENZ. Oh, yes; sure.

Senator GREEN. Lately?

Mr. BUDENZ. Why, yes; I have.

Senator GREEN. In that connection, have you discussed this Lattimore case with him?

Mr. BUDENZ. Not to any great extent; no.

Senator GREEN. You have discussed it with him?

Mr. BUDENZ. To some extent; yes.

Senator GREEN. What extent?

Mr. BUDENZ. Well, to tell you the truth, I can't say, Senator, for this reason—that Mr. Kohlberg is very busy, or was, and so was I, and I have not had a chance to go over the Lattimore case with him at all, in recent times, except in a very superficial way.

Senator GREEN. And then, you have been over it with him before?

Mr. BUDENZ. No, I say—at this time you asked me about this time—I have not been over the Lattimore case with Mr. Kohlberg specifically at all.

Senator GREEN. You said you had been over it with him, had not been in recent times, so the inference was that you had been over it in more remote times, isn't that a correct inference?

Mr. BUDENZ. I think not. I have not discussed Mr. Lattimore extensively with Mr. Kohlberg.

Senator GREEN. You have discussed him with him?

Mr. BUDENZ. Yes.

Senator GREEN. Do you know Mr. William Goodwin?

Mr. BUDENZ. No, sir, I have no knowledge of him.

Senator GREEN. Do you know who he is?

Mr. BUDENZ. No, sir, not offhand.

Senator GREEN. You never heard of him, as far as you know?

Mr. BUDENZ. I have heard his name in the public press, but I do not know him.

Senator GREEN. Do you know whether he has any interest in this matter or not?

Mr. BUDENZ. I have heard him represented, though I don't know him, Senator, as being in some way connected with the Nationalist China. I don't know Mr. Goodwin, have never met him, never talked with him, and have the very vaguest idea who he is.

Senator GREEN. Have you discussed, in addition to discussing it with Mr. Kohlberg and Father Kearney—have you discussed this matter with anyone else?

Mr. BUDENZ. Well I discussed this matter with—in recent days—with Mr. Morgan and Mr. Morris.

Senator GREEN. Is that all?

Mr. BUDENZ. Well, with the FBI agents.

Senator GREEN. What is that?

Mr. BUDENZ. With the FBI agents. I think also, that I also discussed it for a moment with Mr. Kersten, who was formerly Representative Kersten, but that was very hurriedly. That is all I have talked to, so far as I know.

Senator GREEN. Who does he represent?

Mr. BUDENZ. Well, I am not quite sure. I know him from the House Labor Committee. It may be that he is associated in some way with Senator McCarthy, but I am not certain of that. That is, I knew him originally, Senator, from the chairmanship of the House Labor Relations Committee.

Senator GREEN. And you say you may have discussed it with Senator McCarthy, or he may have—

Mr. BUDENZ. Oh, no, I have never discussed anything with Senator McCarthy.

Senator GREEN. Who was with you and Mr. Kersten when you had your discussion?

Mr. BUDENZ. Mr. Kersten?

Senator GREEN. Yes.

Mr. BUDENZ. Well, the only persons I know, on one occasion Mr. Morris was at my house with Mr. Kersten.

Senator GREEN. You three?

Mr. BUDENZ. Yes, sir.

Senator GREEN. When was that?

Mr. BUDENZ. Well, that was in the last couple of days—the last couple of days. I knew Mr. Morris from anti-Communist activities, the Naval Reserve, Intelligence Service, and many other activities, so that he came out to my house and I received him.

Senator GREEN. So far as you can recall, you have named all those with whom you have discussed this Lattimore matter?

Mr. BUDENZ. Well, I think so. That is to say, I have refused constantly to discuss it. I don't know what you have in mind, whether you mean someone who asked me a question or had an extensive discussion.

Senator GREEN. I mean even a short discussion.

Mr. BUDENZ. Yes. The only—if you wish me to retrace the whole history, as far as I am concerned, I am prepared to do so.

Senator GREEN. Perhaps it would be profitable.

Mr. BUDENZ. Very good.

I got a letter from Senator McCarthy very late in this business. I can give you the letter as a matter of fact, later today; I haven't it with me, but the thing in that—

Senator GREEN. Will you get it later and produce it?

Mr. BUDENZ. Oh, yes; by all means. I did not answer the letter, because I have shunned appearances at hearings of this kind, and I got a call from Dr. J. B. Matthews, and he asked me what I knew about the Lattimore matter, and I said, "Whatever I have to say would have to be under subpoena in a nonpartisan way from the committee itself."

Then, he asked me if I did have information, as a leader of the Communist Party, and I said I had such information as I would furnish only under subpoena, but I did not wish to do so.

Senator GREEN. You said you would go into the matter in full detail. Have you done it?

Mr. BUDENZ. I think so.

Senator GREEN. That is the whole story?

Mr. BUDENZ. Unless my memory is refreshed, if there are some other people I don't recall—I had many people asking me questions.

I had many people seeking information. I said to all of them, so far as I recall, that I have nothing to say.

Now, there is something else that I have had—I should say scores of people were after me everywhere on the Fordham campus, on the street, and to all of them, so far as I can recall, I have said, "I have nothing to say."

Now, it may be that I have missed someone.

Senator GREEN. It must have been very annoying. I can understand that.

You told us this morning about compiling a list of 400?

Mr. BUDENZ. Yes, Senator.

Senator GREEN. And as I remember, you stated that there were no Government employees on that list?

Mr. BUDENZ. That is my recollection. I would be willing to present to the committee, and have volunteered to, within a couple of weeks, the names of all Government employees that I know of as Communists.

Now, the thing is, Senator, on this list, it was precisely to end, for good, my appearances in these hearings that I prepared what I call my last will and testament to the American people on the Communist Party. This completes the list of the concealed Communists I know. The point of the matter is—I have begun in the field of Hollywood, the radio, the field of public opinion and the like, and I have not got to the Government, insofar as I remember.

Senator GREEN. This is what I understood you to say this morning—that you were to classify them, to a certain extent, and this 400 was of those outside of the Government?

Mr. BUDENZ. Well, if there are any in the Government, that is by accident.

Senator GREEN. That was your intention?

Mr. BUDENZ. That is right.

Senator GREEN. What are the other classifications that you have made?

Mr. BUDENZ. Hollywood, and I have a very substantial classification there, and a very impressive one, radio—this does not reflect upon the radio organizations, nor upon the moving-picture industry. I would not want you to get the impression that I am trying to create the idea that it is overwhelmingly that way, when I say it is impressive. I mean to say that there is to my mind, too many.

No. 1, Hollywood; No. 2, radio; No. 3, other organs of public opinion, in the professional classes and the like.

Senator GREEN. And the Government employees come last?

Mr. BUDENZ. Well; yes, sir.

Senator GREEN. Don't you think, in view of the fact that this committee has been informed to look into the relations of Communists to the State Department, that that would have been the first thing you should have done?

Mr. BUDENZ. Senator, this list was begun before the committee was in existence.

Senator GREEN. But, it was not finished?

Mr. BUDENZ. No; it was not.

Well, I have not had time since then to do this.

Senator GREEN. Why did you decide to do that last, instead of first?

Mr. BUDENZ. For two reasons: First of all, because with people in the Government you have to be more careful, because they are more

protected. As a matter of fact, the people in the Government who are Communists, if there are such, I am making no charges at the moment—

Senator GREEN. We have not found any evidence of any yet.

Mr. BUDENZ. I say, I am making no charges at the moment, though I may later, but the point is—I have not at the moment. Those Communists, that are such, are very highly protected and in those cases, I want to be absolutely certain. Of course, I want to be certain in all instances, but in some instances, I know people very well as Communists in these other fields.

Senator GREEN. You would not like to base your testimony on hearsay, in other words?

Mr. BUDENZ. That is not the point.

Senator GREEN. Is it not?

Mr. BUDENZ. Well, I don't want to base it on hearsay, in the sense of just an individual Communist telling me. I wish to base it upon official communications to me, or my own knowledge of their association.

Senator GREEN. I see, and so you are going to compile the rest of these lists first, and end up with that?

Mr. BUDENZ. That was my intention.

Senator GREEN. I don't want to change your intention, don't misunderstand me. I am just seeking information—

Mr. BUDENZ. That is correct.

Senator GREEN. Not giving advice. Now, this morning you stated something that attracted my attention. I think, for your sake, we ought to clear it up. That was in connection with your discussion with the editors of Collier's about the article, and in explanation of some apparent discrepancy, you stated, "Well, this was a conference. It wasn't under oath."

Do you make a distinction between answers that are made seriously and without oath, and those made under oath.

Mr. BUDENZ. No, sir; but I do make this statement: Here was a conference on my article. I know very well, Senator, that the Communists have a plan to harass and destroy a man by libel actions. When I received such peculiar questions from Mr. Parris, I immediately intended to shut him off, and as a matter of fact I am compelled to do that repeatedly. People come to me with all sorts of questions. I can't get rid of them.

In this case, I also was dealing with an article not yet completed, and I do not distinguish between under oath and otherwise, except in the sense that I cannot commit myself or permit myself to be attacked by someone who tries to draw me out.

Senator GREEN. You mean, under those circumstances, you are willing to put them off by stating something that is not true?

Mr. BUDENZ. Well, I would not say—"not true," but that doesn't make the matter—

Senator GREEN. What expression would you prefer, having the same meaning—"false"? How would you put it? Put it in your own words.

Mr. BUDENZ. Well, I would say, Senator, this: That for me to say to Mr. Parris that Mr. Lattimore was a Communist agent, in the way that Mr. Parris was pressing me, would have been of no advantage

to the article, and would have, at the same time, have been a matter of attack upon me.

Senator GREEN. Well, later in your testimony you stated that these persons were not ex-Communists, but are still Communists, and if we called them, we couldn't rely on their testimony, because they might be telling the truth or might not be, didn't you?

Mr. BUDENZ. You mean, the Communists I asked to be brought before you?

Senator GREEN. Yes.

Mr. BUDENZ. Oh, yes; I said that these, as Communists, they are not ex-Communists, they are Communists—

Senator GREEN. Yes.

Mr. BUDENZ. They would do it on behalf of the cause.

• Senator GREEN. But you think there is a distinction between the ex-Communist and the Communist in that respect?

Mr. BUDENZ. Well, the public will have to judge that. I cannot enter into that question. I can only say this, that the Communist lies only for the cause, for the party. He may be a very truthful person otherwise. He will lie for the cause, and as a matter of fact we have proof of such falsehoods.

Senator GREEN. I also understood you to say, well, your definition of a Communist was that he need not necessarily carry a card or be on any list, but if he followed consistently the party line, he was a Communist, and that when he censed—couldn't cease to follow the party line because then he would be disciplined and would cease to be a Communist.

Mr. BUDENZ. Yes, sir; under instruction, always, and under discipline always, but you must understand this, Senator, if I may explain that—where you have men in key and delicate positions, their discipline is to follow what they are ordered to do. That is to say, I am sure, and I don't want to reiterate this to any painful extent, but I am sure that we will find out that maybe in many public matters Mr. Hiss didn't follow the party line.

Senator GREEN. That is the second time you brought in his name. What is your idea?

Mr. BUDENZ. The only reason I do, Senator, is because it is an illustration which stands out, that is all. I have no particular reason to mention it except for that reason.

Senator GREEN. Did you know him?

Mr. BUDENZ. I did not know him in a personal way. I knew of his association with the Washington cell, officially.

Senator GREEN. You have seen him?

Mr. BUDENZ. I have seen him; yes, sir; but I didn't remember that at the time of my testimony before the House committee.

Senator GREEN. You testified there, did you not, that you had not?

Mr. BUDENZ. That is right. I later saw Mr. Hiss and recognized that I had met him under a false name, but didn't know him at the time. It was only on one occasion.

Senator GREEN. Never mind.

If the Communist line twists and turns, and you have given testimony to that effect, it might cover a great number of people in the different twists and turns, those who agreed with one policy, and another group that agreed with another policy, and so on, and if

you judge them by their temporary agreement with a particular policy at a particular time, almost everyone would be a Communist who had any opinion on Chinese affairs.

Mr. BUDENZ. No; that isn't the way, Senator.

Senator GREEN. What is the way?

Mr. BUDENZ. As a matter of fact, that is just exactly what the Communist Party does. At one time during the Hitler-Stalin Pact, we had thousands of pacifists, or propacifists that joined, even Nazis, joining the Communist Party. Later on they all dropped out. There is a tremendous turnover in the Communist Party. The Communist is the one who carries through steadily, under directions and instructions, whatever line, not only whatever line, but whatever discipline is imposed upon him.

Senator GREEN. You claim that Mr. Lattimore's views on China have changed in accordance with the change in the Communist line, is that your point?

Mr. BUDENZ. I would not wish to be able to pass upon that until I have examined all of Mr. Lattimore's writings, as I have said.

Senator GREEN. How many of his books have you read?

Mr. BUDENZ. Very few, in a very fragmentary way. I am not in a position to pass upon Mr. Lattimore's writings, except in a general way, except on his last book Situation in Asia.

Senator GREEN. Then, he might not have followed the Communist line in his previous books, I believe he has published 11.

Mr. BUDENZ. That we can see when we analyze them, as far as I am concerned.

Senator GREEN. If you think that one book shows he is a Communist, because he is following the line, and the other books did not, what would be the weight or balance of evidence?

Mr. BUDENZ. I would have to depend, of course, that is why I must analyze the book, we cannot talk about this in such shorthand terms. It seems to me, Senator, I would have to analyze the book.

Now as a matter of fact I have come here before the committee to testify to certain facts of my own knowledge, to the extent that I have been informed of them; so far as these other matters are concerned, I have not had the opportunity to analyze them. I have offered to analyze them and shall do so if the committee so desires.

Senator GREEN. How much of his published writings, I won't limit it to books, have you read?

Mr. BUDENZ. Very few indeed.

Senator GREEN. How many?

Mr. BUDENZ. Well, that I cannot say, offhand.

Senator GREEN. Have you read one book?

Mr. BUDENZ. I have read hurriedly Situation in Asia.

Senator GREEN. Just looked it through?

Mr. BUDENZ. Yes, sir.

Senator GREEN. How many articles of his have you read?

Mr. BUDENZ. Practically—well, now, I don't know that. I wouldn't be able to say.

Senator GREEN. You have drawn deductions from those, what you have got?

Mr. BUDENZ. I have drawn no deductions except from what I have learned and have been advised of. I do not need to draw deductions from other sources, but in order that there will be corroboration of

what I said, I have volunteered to present to the committee an analysis of Mr. Lattimore's writings, in the light of my experience as a Communist.

Senator GREEN. Would it make any difference to you, in your opinion of Mr. Lattimore, if his writings showed that he had been opposed to communism most of the time, or the Communist line, most of the time?

Mr. BUDENZ. Now, Senator, we would have to look at these books. I know certain facts. The Communist line is something that is very interesting indeed. The Communist line has different emphases, different expressions, different treatments, and I am satisfied, because of what I know from my own knowledge, that an examination by me of Mr. Lattimore's books, with my knowledge of how Communist procedure goes on, would show that he has been following the Communist line, but I cannot make that assertion without having examined the books.

Senator GREEN. Then, you say you have never seen him, never talked with him, never have had any communication with him--you have read none of his books to speak of, none of his articles to speak of, and it is based entirely on what someone has told you about him, is that right?

Mr. BUDENZ. That is correct, but officially told me, as a matter of more or less life and death in the Communist movement. These official instructions, they are known and followed out.

Senator GREEN. Since part of the Communist creed is to lie or swear falsely in order to support their cause, how can you be sure that some of your colleagues were not doing the same to you?

Mr. BUDENZ. There is one thing a Communist--this is a serious matter, Senator, because we are analyzing the Communist movement--about which America knows too little. The point of the matter is that the Communist does never lie to his colleague in his report, because it is a matter of the most serious moment. This is a conspiratorial organization—

Senator GREEN. Yes.

Mr. BUDENZ. In which the truth has to be followed within the limits of the Communist organization itself, and that is a fact that the reports officially made by the Communists to each other, are unfailingly correct. Where they engage in falsehood, and this is what Lenin has said, is where they deceive people outside the Communist movement.

Senator GREEN. Suppose they suspect somebody inside of the Communist movement—Communists sometimes desert the cause—suppose they suspected that you were going to desert the cause—

Mr. BUDENZ. Yes, Senator?

Senator GREEN. Might they not lie to you?

Mr. BUDENZ. To me?

Senator GREEN. Yes.

Mr. BUDENZ. Well, no, because this was not to me, this was to an official meeting, and also, repeatedly in instructions to me over a long period of time.

Senator GREEN. Well, some of it was to you, you got communications signed with code letters.

Mr. BUDENZ. That was not the whole national committee, a member of the national committee—

Senator GREEN. You don't think they would have lied to them?

Mr. BUDENZ. No; they would not. As a matter of fact, the whole essence of their conspiracy rests on their telling the truth to each other. Otherwise, the conspiracy will collapse. There must not be, within the conspiracy, there must not be any uncertainty. I think that will be testified to by everyone from within the Communist movement.

Senator GREEN. Then, you think that if a man were suspected of following the Communist line and supported some doctrine that was opposed to the Communist line, he would be suspected—

Mr. BUDENZ. I didn't catch that last.

Senator GREEN. Suppose for instance Mr. Lattimore was trusted, and then Mr. Lattimore wrote an article favoring the Marshall plan, and that is anathema, as I understand it, to the Communists—would not that subject him to suspicion?

Mr. BUDENZ. Well, I cannot testify to that, that is since I left the party, but as a matter of fact—

Senator GREEN. As an illustration.

Mr. BUDENZ. As a matter of fact, it might or it might not, according to the instructions, because Mr. Lattimore is not openly a Communist. What he says does not reflect upon the Communist movement. The open Communist, if he were to come out for the Marshall plan, he would be seriously disciplined, but a man who, because of his peculiar position, has to take an attitude—that is a different matter.

Senator GREEN. What form does their disciplinary action take?

Mr. BUDENZ. It takes the form of expulsion from the party, or attacks upon you and your character and everything else, it depends upon the individual. Generally, it is an expulsion from the party, with an attack upon the party—

Senator GREEN. Under what circumstances can you resign?

Mr. BUDENZ. There is a slogan within the party, "You are not permitted to resign, you must be expelled."

Senator GREEN. I think that is all I care to ask.

Senator TYDINGO. Senator Hickenlooper?

Senator HICKENLOOPER. Mr. Chairman, I have a couple of documents that I have sent for, that seem to be misplaced. I would like to have those before me, before I question Mr. Budenz.

If someone else has any questions, and they could find those documents, I would appreciate it, if I were allowed to question him later. They are in my office somewhere, and we are unable to locate them.

Senator TYDINGO. You want to pass, now!

Senator HICKENLOOPER. I would like to pass, at the moment.

Senator GREEN. I have thought of another question I would like to ask.

Senator TYDINGO. Go ahead.

Senator GREEN. Either in your testimony, or some other testimony in one of these hearings, the charge was brought up against Mr. Lattimore that he favored the recognition of the Communist Government in China. Do you think that is evidence of his sympathy with communism?

Mr. BUDENZ. Not necessarily, sir. It might be, but that is a matter of public policy in America, and I do not regard that alone as evidence of Communist membership. I think there are other people who are not at all connected with the Communists that may have that view.

I think they are thoroughly mistaken. I think it is going to lead to a terrific attack upon the United States in which thousands of our young men are going to be destroyed, but there are others who have other opinions. That is a matter of public debate. I certainly do not say that anyone who stands for that is necessarily a Communist.

I think it will be a most serious thing, however. That is just my personal opinion, I might say, my private opinion, Senator, if I may, because you know that the instructions of the Communist Party, and I can support this by document after document, from the official Communist records, gave to the American party the assignment to assure a Red China and a Red Poland in order to bring about the conquest of Europe and Asia, and the defeat of American imperialism, namely, the United States.

That is the reason I say it, but that does not mean—pardon me, I wanted to say that does not mean that everyone who stands for that viewpoint, and disagrees with me, is therefore a Communist—no, sir.

Senator GREEN. Suppose a man said if the Communist Government in China in fact proves its ability to govern China without serious domestic resistance, that it should be admitted to the United Nations, would you say that he was following the Communist line?

Mr. BUDENZ. No. I would not, necessarily; although I would think that he was falling for appeasement very badly, since that brought about Munich, and other things of that character. That is to say, I would think that of course—you see, there is one supposition in there, Senator, I am not familiar with this statement, but there is one supposition I noted immediately: He said if the Communist regime was able to do so and so—I don't know what it is—

Senator GREEN. Govern China without serious domestic resistance.

Mr. BUDENZ. That is a terrible admission, that we are going to surrender the Chinese people to the secret police of the type which has put 15 or 20 million people in concentration camps in Soviet Russia. I do not say that the gentleman who says that may not have other arguments for his position, I am not engaging on a debate on this. I say, however: No. 1, that does not necessarily make him a Communist, no; but, secondly, I think it does show that we do not realize, this gentleman does not realize the seriousness of the situation confronting the United States.

Senator GREEN. Well, the gentleman whom I quoted was not Mr. Lattimore, that you seemed to assume. It was Mr. Dulles.

Mr. BUDENZ. That is correct. That is to say—I didn't know it was Mr. Dulles, incidentally, when I said "That is correct," but I wish to say, regardless of whether it is Mr. Dulles or not, that America today is in such position that if we recognize Red China, that hundreds of thousands of our young men, Senator, are going to be sacrificed to the Chinese paratroopers who will be fed better food, and used to attack the United States.

That is not a wild claim. I will be prepared to show this committee, not definite proof of that, I have no idea of the Soviet plans of that, but definite proof that the Soviet Union stated repeatedly that China is the key to the conquest of Asia and the establishment of the Soviet world dictatorship, and again, Senator, I know that this Harry Bridges moved across into Hawaii, infiltrated into Hawaii, to meet with the Chinese Communists to drive imperialism out of the Pacific,

and I will be able to show, by documents, I mean official documents, statements indicating the importance of China to the defeat of American imperialism, namely, the United States.

Now, Mr. Dulles is an important man, but he could be mistaken, and I feel very decisively that if that is a full opinion, then he is mistaken.

Senator GREEN. You are a very important man, or were, in the Communist Party, and knew all the top-level people who were running the party, and yet—when it came to the recent Government case in New York, where there were 11 Communists convicted, you were not called as a witness, were you?

Mr. BUDENZ. Senator, I was the chief witness for the Government. I don't like to put it that way. I was the first witness for the Government, and was on the stand 10 days. I hate to appear to present myself in that fashion, Senator.

Senator TYDINGS. Let's have order in the room; no demonstrations, please.

Mr. BUDENZ. In addition, Senator, may I say just in explanation—that I spent week after week with Judge McGohey, and his staff, and my whole Christmas vacation on this case.

Indeed, I think that I can say with all due modesty, I did as much as any man on that matter.

Senator GREEN. Then, you have had your hand in.

Mr. BUDENZ. Yes, sir, pretty much in that case, Senator. I would have preferred not to. If you will get in touch with Judge McGohey, you will find I was just as reluctant to enter that case, as I was here, and it took a lot of persuasion to get me there, but I did get in, finally.

Senator GREEN. That is all, thank you.

Senator TYDINGS. Do you have your documents, Senator?

Senator HICKENLOOPER. Not yet.

Senator TYDINGS. Senator McMahon?

Senator McMAHON. Mr. Chairman, like Senator Lodge, I have some questions that I think in the best interests of the United States, should be asked in executive session, and so I understand that Mr. Budenz is coming back to see us in executive session.

Mr. BUDENZ. I will be delighted to, Senator.

Senator McMAHON. There are a few questions, perhaps, that could be better asked in executive session.

Mr. BUDENZ. I will be glad to answer.

Senator TYDINGS. Senator Lodge?

Senator LODGE. One question I would like to ask, although as I have said, I intend to conduct my cross examination in executive session.

I would like to bring to the attention of everyone, bring their attention back to the fact that the prime purpose of this investigation was to ferret out disloyal persons in the State Department, and not to establish whether some man is right or some man is wrong, that is why my attention was arrested by your statement that you had not completed the presentation which you intend to make some day on the subject of communism in the Government.

This committee is primarily interested in the subject of communism in the Government, and not communism in Hollywood, or communism in the newspaper business or communism in any other walk of life, and I disagree with Senator Green. I would like for you to

change your modus operandi, and at once give a high priority to the Communists in the Government.

I understand you to say you did not want him to change---
Senator GREEN. No--I asked him to.

Senator LOOR. I misunderstood. I was going to ask him to get on to this business of the Communists in the Government, because that is what this committee is officially, and by specific terms of the resolution, charged with going into.

See what I mean?

Mr. BUDENZ. If the chairman will permit me, I will volunteer to have such names as I have, together with the occasions of how I know them to be Communists, presented to this committee within 2 weeks at the latest.

Senator LOOR. Thank you.

Senator TYDINGOS. Is that all, Senator?

Senator LOOR. I intend to question Mr. Budenz later, in executive session.

Senator TYDINGOS. I mean now.

Senator LOOR. Now--yes.

Senator TYDINGOS. Senator HICKENLOOPER?

Senator HICKENLOOPER. I think I will have to proceed, Mr. Chairman. The documents I have been searching for in my office seem to be temporarily gone, so that I cannot use them at this time. I may use them later, if they show up.

I understand that it is your testimony, that what you have given here today is confined to the period beginning with the time when you joined the Communist Party, about 1935, and the time you left the Communist Party in about 1948; is that correct.

Mr. BUDENZ. That is correct, Senator.

Senator HICKENLOOPER. Now, during that period of time, when you first joined the Communist Party, did you immediately take on what might be considered an important role in the Communist high command in this country, or what was the level of your activity at the time you joined the party?

Mr. BUDENZ. Yes, sir. Well, of course, there is one high command in the Communist Party, and that is the Communist International representative, and he is run by Stalin. Don't let us mistake that. I learned that very severely, but I might state that, taking into account that fact, the fact of the matter is that I was made, in a very short time, labor editor of the Daily Worker, and in general exemption to the Communist practice, I was made a member of the national committee within a year.

Senator HICKENLOOPER. I see.

Mr. BUDENZ. The reason for that was, you must understand that for a number of years I had been in contact with the Communist Party, sometimes in opposition and sometimes in what they called these united fronts; they had a pretty good idea of my viewpoint and activities.

Well, I could give other reasons too, because at that time they were trying to put forward this people's front, and they thought myself and other people had a certain influence in the labor movement that would help them. That is what Stachel told me.

Senator HICKENLOOPER. Have you ever met Mr. Joseph Stalin?

Mr. BUDENZ. No, sir.

Senator HICKENLOOPER. Have you ever had any direct communications with Mr. Joseph Stalin?

Mr. BUDENZ. No, sir.

Senator HICKENLOOPER. Do you believe Mr. Joseph Stalin is a Communist?

Mr. BUDENZ. Well, I had to make an oath to him, of allegiance, when I joined the party, and the oath said that "we will agree to follow you wherever you shall lead, the leader and teacher of the working people of the world, under the Marx-Engels-Lenin and Stalin doctrine until the triumph of communism throughout the world."

That indicates to me that he is associated with communism.

Senator HICKENLOOPER. I am merely exploring your idea or knowledge of who is a trusted and a high-level Communist as a result of your reliance upon party assurances, and I take it that you know Mr. Stalin to be a Communist, and rely upon the fact that he is a Communist through public statements in the newspapers and through the statements and associations through the high party command?

Mr. BUDENZ. More than that. We knew it through every book we were compelled to read, through every article we were compelled to write, through the statements that the line of the party is infallible because Stalin gives it to us, and he can make no mistake whatsoever, between the fact that he is the leader of the working people of the world—consider that, Senator—that the American working people, under the Communist conception; of course, this is a maligning of the working people, because they get more following among other groups. I must say, than among the working people, but we have document after document proclaiming Stalin—in fact, at the Moscow Conference of Intellectuals for Peace, I counted—because I get these Communist documents by an indirect way—I counted 22 different speakers who proclaimed Stalin to be the leader of the people of the World and therefore his presence was pretty obvious to me.

Senator HICKENLOOPER. In other words, proof to you that Mr. Stalin is a Communist is not dependent upon your ever having met him or talked to him personally?

Mr. BUDENZ. That is correct.

Senator HICKENLOOPER. Now, after you joined the party—

Mr. BUDENZ. I didn't understand the direction of your question. I thought your question had to do with Stalin's control of the party.

Senator HICKENLOOPER. I am, of course, obviously asking you whether it is necessary for those who are in the inner sanctum of the party, to be convinced that someone is a Communist only upon personal association and personal admission by that person to the one so assuming?

Mr. BUDENZ. Particularly not in the Communist organization. The normal American has no idea of what the Communist organization is. It is a gangster conspiratorial movement which, by the way, draws in nongangsters. That is its greatest, I should say, danger—that is to say, it is a movement in which there is absolute discipline. As a matter of fact, it took me a whole year, when I got out of the party, to reorganize myself from that sort of a concentration camp that I was in, and here I was, in America, a native American, from four generations of Americans.

Senator HICKENLOOPER. Have you at any time met Gromyko or Molotov?

Mr. BUDENZ. I have not.

Senator HICKENLOOPER. Is there any question in your mind but what they are Communists?

Mr. BUDENZ. No.

Senator HICKENLOOPER. You get that from publicity and—

Mr. BUDENZ. We were compelled to read all of Mr. Molotov's writings.

Senator HICKENLOOPER. You get that from publicity and assurances from within the party that they are reliable Communists; is that correct?

Mr. BUDENZ. That is correct.

Senator HICKENLOOPER. So I take it, it goes with a number of others who are publicly accepted as Communists, that many of those you have not seen personally, nor have had them admit to you personally that they are Communists, but you know they are, and accept them as such because of the party knowledge that they are Communists?

Mr. BUDENZ. If you will permit me, Senator—that is correct; but if you will permit me, in order to give why I was so eloquent on that other matter, I will show you this document.

This is totally divorced from this hearing, but I think it is important. This is a picture of Joseph Stalin, the only picture ever permitted on the front page of the official theoretical organ of the so-called American party, Communist Party of the United States. No other picture has ever been permitted on that front page, but that of their leader, Joseph Stalin.

That is one indication of the complete control he has over that organization. I wanted to explain why I went over, there, and gave a rather oratorical dissertation.

Senator HICKENLOOPER. After this first year's activity of yours, in the party, did you move on to other positions in the party, in the next 10 years?

Mr. BUDENZ. Yes. In November 1937 I became editor of the first daily labor paper launched by the Communists; it was the Chicago Daily Record. That was supposedly a people's front thing, but I was editor and it was completely dominated and financed by the Communists. As a matter of fact, in part it was financed by the secret conspiratorial fund under Robert William Weiner, who came into this country for conspiratorial purposes. The thing is, after the Middle West Daily Record folded up because of the Hitler-Stalin pact, I came back to New York, but already it had been decided that I be made managing editor of the Daily Worker, and president of the corporation conducting that publication.

Comrade Browder, he was "Comrade" Browder then, stated to me: "The reason you are being appointed to this is because you have no technical difficulties. You have not violated any passports, or have any crimes against the United States on you, so you can defend the Daily Worker better during this period."

I said "I hope the reason is because I also know something about the newspaper business!"

He said that was true, but the main reason is because "you have no technical difficulties."

I state that to illustrate why I was made editor of the Daily Worker.

Senator HICKENLOOPER. Can you move on rapidly through the remaining years up to 1945, and outline your movements in the party?

Mr. BUDENZ. I was a member of the national committee for 9 years, 6 of them openly and 3 secretly, for political purposes; and then I was a member of various organizations—I have recounted that before—until October 1945, when I left the party.

Senator HICKENLOOPER. Now, then, during that period, Mr. Budenz, when did you first meet Mr. Foster and Mr. Bridges and Mr. Field? I mean when did you first come in contact with those men that you have referred to as being in these groups that met periodically?

Mr. BUDENZ. Mr. William Z. Foster?

Senator HICKENLOOPER. Yes.

Mr. BUDENZ. I have known him many years. In fact, I met him—he came to see me in New York on his way to Moscow to become a Communist, and, very frankly, I said one thing—I said, "One thing you should do, Bill, is never become a Communist." That is when he was passing through, so I knew him since the time he made the trip to Moscow and became a Communist over there in Moscow.

Senator HICKENLOOPER. I am not so concerned about the early days, as the period of 10 years during which you were—

Mr. BUDENZ. I knew Mr. Foster all the time.

Senator HICKENLOOPER. Perhaps I can clear this—

Mr. BUDENZ. I don't understand your question.

Senator HICKENLOOPER. What I am trying to get at is this: After you joined the party and began to move into the circles of the party where decisions were discussed and programs were discussed for the party, at what point did you begin to have association with Mr. Foster and Mr. Bridges and Mr. Field? I am trying to get, frankly, trying to get the continuity of their association with you during the time that you were an important person in the party.

Mr. BUDENZ. Mr. Foster I got to know immediately. Mr. Bridges I got to know in 1936. I then knew him as Comrade Rossig, a member of the national committee of the Communists.

Senator HICKENLOOPER. And Mr. Field?

Mr. BUDENZ. Mr. Field I also—well, I think the first time I met him was in 1937, although I had heard of him.

Senator HICKENLOOPER. These others you have mentioned, when was the first time you began to associate together in the programs of the Communist Party in this country? That is, I am trying to find out just when you began this rather intimate association with these men, and how long it continued, up until 1945.

Mr. BUDENZ. I don't know what men you refer to.

Senator HICKENLOOPER. The men you referred to, such as Mr. Foster and Mr. Field and Bridges, and the chief man, whose name I forgot.

Mr. BUDENZ. Eisler?

Senator HICKENLOOPER. No—Stachel.

Mr. BUDENZ. Oh! Stachel. I knew, right away—I knew him as soon as I joined the party, and he just came back from Moscow from the seventh congress, and I knew him immediately and associated very closely with him. He is really the main man within the Communist Party, so far as constant attention in America is concerned. Of course, in addition, there is also a Communist International representative, who, when I was there, was Gerhart Eisler, under the name of Edwards.

Senator HICKENLOOPER. During this period from 1935 to 1945, while you were in the party and while you were associated with these

men, and on the repeated occasions where they have talked over party policy with you, and party programs, and where they brought reports, for instance, of party activities here and in other parts of the world, was there ever any occasion during that 10-year period when any of those men, to your knowledge, ever falsified or lied about the party programs, or individuals connected with the party, if it affected the Communist Party?

Mr. BUDENZ. Never. This is like a secret police system. If you ever did that, just like the NKVD holds them up, I say, the NKVD holds them up, because that is what they are reported to have over there in Russia, they put one person to spying on another, and if they would lie, ever, you would be held up; in fact, there is a special committee which watches your statements in every discussion to see if you have any false statements therein, or any misrepresentations of the line, Communist to Communist, because that is their basic morality, there he must be truthful, there you must be upright, in a Communist sense, you must be willing to sacrifice, or he must be willing to sacrifice himself, die, or anything for the Communist cause.

When it comes to the people outside of the Communist cause, in other camps, then Lenin tells us very frankly, "You must, as a matter of Communist morality, when necessary, lie, perjure, and do other things."

Senator HICKENLOOPER. Let me ask you—during this period of 10 years, did you have occasions to be able to test, from time to time, the truth in what those men reported, as Communists, to the high command of the Communist Party here? In other words, did you have a chance to test their veracity, so far as it was concerned, in their reports?

Mr. BUDENZ. Repeatedly. I don't know that I can give you illustrations right now. I could give you illustrations if I had the time to think it over.

Senator HICKENLOOPER. Then, it leads me to this question, Mr. Budenz: Your conclusions, and your statements, and your testimony today—are they based upon the unbroken line of experience that you had with these men in their statements, so far as communism is concerned, and does that experience lead you to rely upon the words you got within the conspiracy?

Mr. BUDENZ. That is correct. Just like in an army, the truth is within themselves, so far as the facts are concerned. It is a part of their artillery, amongst themselves. You are given these instructions, so that you will act the way they want you to act, and it must be based on correct information, otherwise the whole army will suffer for it.

Senator HICKENLOOPER. Let me now ask you this, Mr. Budenz, and I want to confine this to the period while you were a member of the party, and not later than October 1945, and it has something to do—and I would not ask the question, had not some similar questions been asked just a moment ago—I feel that this is a fragmentary bit of information, but if an official Soviet publication, published in Russia, praises and approves, or did—I am confining this to not later than October 1945, and during the period when you were a Communist—if an official Russian publication praises and approves the writing and analyses of certain situations involving Russia, would you say that that approval and that praise was with the full knowledge

and consent of the Russian Government, talking about an official Russian publication, that is, an official newspaper or magazine?

Mr. BUDENZ. Well, of course, I have never been in Soviet Russia. I can only state that from the fact that I know the Russian Government runs the Communist Party here as though it were a secret police system, therefore there cannot be, in Soviet Russia, more freedom than you have here, I mean to say, it must be intensified, they have police power, and it is known that all the press are Government organs—

Senator HICKENLOOPER. I think I shall not pursue that at the moment, Mr. Budenz, because that was one of the documents I have been unable to locate this afternoon, that I wanted to show you here; but I perhaps can discover it a little later. It has been mislaid some place for the time being.

Now, I think you were asked a while ago the question about what you had told the FBI. I take it from your answer that you have told, or given answers to the best of your ability to the FBI in all matters, and to all questions which the FBI has asked you.

Mr. BUDENZ. Yes, sir. So much so that in the case this morning, I even put in a long-distance call to the FBI to tell them about something I had forgotten to tell them. Frankly, I think the Federal Bureau of Investigation is one of the finest agencies of the American Government. I say that in all good faith, not because I am dealing with the FBI, but because as a Communist and as a non-Communist I have observed the FBI, and in my opinion they are the finest, and I therefore have sought to give them every bit of information I can.

I tell the FBI everything I possibly can think of to tell them, except that, naturally, you understand, Senator, I have to do something else; I have 14 hours a week of teaching, which means preparation; I have other things I have to do, and therefore I have to take that into consideration, but wherever I can, and particularly where a trial is up, or some emergency, I have cast aside all other business, always, and given to the FBI as much of my undivided attention as I could.

Senator HICKENLOOPER. Now, as a result of your membership in the party, and your discussions within the party high command, in connection with Mr. Lattimore, can you give us your estimate of his value to the Communist Party, especially with regard to the trends in Asia, as you knew them, as a Communist?

Mr. BUDENZ. Well, it seem to me that I should leave that in the hands of the Senators, after I have told them the truth as I know it. I think my own interpretation would merely seem to be an attempt to furnish the Senators more than I know. I have told my story—

Senator HICKENLOOPER. Then, let me ask you—

Mr. BUDENZ (continuing). So far as I know it. I think it can be corroborated. I know it can. That is all I can do.

Senator HICKENLOOPER. Let me ask you this question: While you were a Communist, and during these years, and in connection with the discussions of Mr. Lattimore, was Mr. Lattimore considered by those that you discussed him with, as a valued agent, or a valued adjunct to the Communist cause, especially in Asia?

Mr. BUDENZ. Yes, sir, he was. There are specific statements in that respect by Mr. Stachel, in that respect, and Mr. Browder, to that effect.

Senator HICKENLOOPER. I believe you testified in your statement, or otherwise, that Mr. Lattimore was referred, in communications—referred to under the symbol "L" or "XL"?

Mr. BUDENZ. That was a practice in regard to anyone under party discipline who was being discussed.

Senator HICKENLOOPER. That is, to refer to them in communications with a symbol?

Mr. BUDENZ. Anybody who was in public life, out of the party, also had a dash. We had to guess that, or go and get it. There was not, not even a letter in regard to a person who was, for instance, a person that would be approached in public life because, after all, the Communists can approach a person and that does not mean that person is a Communist, but the thing is, the Communists had another idea in mind and that was not to disclose who was operating secretly. Therefore, all people who were non-Communists, so far—there was a dash for them, and you had to learn, yourself, who it was, but you got it from the substance of the discussion, that generally gave you some indication.

Senator HICKENLOOPER. During the time you were a Communist, and up to the time you left in 1945, did you ever have any serious or substantial reason to doubt that Mr. Lattimore was being used knowingly by the Communist Party?

Mr. BUDENZ. Well, I have told the picture here. I have no doubt. Nothing came to my attention beyond what I have said.

Senator HICKENLOOPER. How do you know—or do you know of any occasion when any reports were made to the effect that Dr. Lattimore was the conduit through which information might have, on occasion, been transmitted from Moscow to the party in this country, or to members of the high command?

Mr. BUDENZ. Only in the situation to which I have referred. That is the one in 1943. I know, much more definitely, that Mr. Field and Mr. Jasse are Soviet espionage agents, and I want to establish that very firmly, because that is the beginning, in my opinion, of an investigation that would be of great value.

Senator HICKENLOOPER. Now, I think you also stated it was the Communist Party line, while you were a member of the party—that China was probably the vital spot for conquest as an eventual attack against the United States, or American imperialism?

Mr. BUDENZ. That is correct. China was the main—I will be able to show you, I regret I didn't bring some of those documents here today, but China, throughout the Soviet history, has been one of its main considerations. A Red China was one of the main objectives and instructions to the American party, which even Browder—it even led him to change its name—that we must win the acquiescence in America of a Red China and a Red Poland. That was dinned into us over and over and over again, the importance of China, its great reservoir of manpower was terrific, and you will be able to see, from documents in the Communist International magazine, in the International Press correspondence, which is the official reportorial system of the Communist International, and in many other official Communist statements, the importance of China.

As a matter of fact, so much is this the case that in the official greetings—I don't want to take up too much of your time, but this is something that comes out of your question—in the official greetings to the

Seventh Congress, the Communist International, the China Communist Party got the place of honor, and what is done in the face of all this propaganda that they were an agrarian reform group—they say this; their whole hope is in the man of unlimited wisdom, unparalleled courage, undying love and devotion to the working class, our leader and teacher, the great Stalin.

In other words, they give their oath of allegiance to Stalin, and that opens up the Seventh Congress of the International in Moscow in 1935. That was done designedly, as the Communists always do, to indicate the importance of the conquest of China.

Senator HICKENLOOPER. Then, Mr. Budenz, would you say that the efforts in China, on the part of the Communists—would you say they were of the highest priority in this world-conquest program, at least during the period while you were a Communist?

Mr. BUDENZ. They have always been of the highest priority, and they became much more so after World War II. They became of the highest priority when Russia opened up World War No. III against the United States in 1945, because that is what is happening right now. Stalin has said, "Wars are not declared today, they are made," and he is waging a two-front war against us, and in that, China was a big prize, it was the biggest prize, along with Poland—Poland and its coal, and China and its millions.

Senator HICKENLOOPER. Would you say that with the importance of China in the Communist program being as great as it is, that the Communists would assign their most able men to their activities in connection with this Chinese revolution, and the whole China situation?

Mr. BUDENZ. They would, and they did.

For instance, they assigned Gerhart Eisler here, and he was an expert on China, and he is one of the shrewdest members of the Communist International, and is now organizing attacks upon us in Germany.

Senator HICKENLOOPER. And then, one of the following results—after the either capture or consolidation of China by the Communist Party, an eventual target is the United States, is it not?

Mr. BUDENZ. That is the target.

Senator HICKENLOOPER. That comes along in the pattern, step by step!

Mr. BUDENZ. That is the target. All of this other is just merely attaching the United States. That is exactly what we were instructed, and what I stated when I left the party in 1945, that a creeping blitzkrieg is being organized again in Europe and Asia to hurl those two continents against the United States.

As a matter of fact, I refer again to this agreement in 1934, that that is not the only conclusive evidence that we have of their intention to drive the United States out of the Philippines, Hawaii, and out of the Pacific.

Senator HICKENLOOPER. Do you know, in connection with our activities with the Communist high command, Mr. Budenz, whether or not Mr. Lattimore was assigned to, or cooperated in, Communist organizational activities on the west coast of the United States at any time?

Mr. BUDENZ. Well, that is where he was located during part of his time to which I have referred.

Senator HICKENLOOPER. And were those activities directed largely toward the orientation of articles in the Institute of Pacific Relations, or one of its subsidiaries?

Mr. BUDENZ. Well, for a number of years he was the editor of Pacific Affairs, one of its papers, and during that time the Communists were very generously presented as authors in that publication.

Senator HICKENLOOPER. Now I want to ask you—

Mr. BUDENZ. That is, in generous numbers.

Senator HICKENLOOPER. Just to clarify my own thinking on this matter. The Communist apparatus, as I understand from your testimony, is generally divided—that is, so far as its personnel is concerned—into two classes. One is the Communist who could be referred to more or less publicly as a Communist; it doesn't make too much difference if they are publicly known as Communists. And the other is the Communist supporter and aider and abettor who may be in a position where his identity with the Communist Party must be concealed and any information of that must be avoided if possible. Is that correct?

Mr. BUDENZ. Well, I think I can best answer that by giving an illustration of a tree, because that would tell all the categories of communism. The roots are underground, which really rule the party—that would be Peters, Eisler, men of that character; Peters, the man who sent Whittaker Chambers down here to steal papers out of the State Department, director of espionage for many years; Eisler, scores of enemy aliens in this country at the moment, who have been here for a number of years, have been here instructing the native Communists.

Then the trunk of the tree. The trunk is the open party, and then the men and women in the branches are the concealed Communists. The sap of instruction goes from the roots through the trunk, the open party, to the men and women in the branches. On the public stage they are not Communists. Therefore you do have several categories of Communists. You have the illegal aliens in here, who are sent in by Moscow and who really direct the party. That is the Kremlin policy. And an American may be in charge in the Philippines and in China; he cannot be in charge in America, although he is concealed. He does not appear on the public stage. Then you have the open Communist, such as I was, such as Browder was, in order that the party will appear to be a political party, which it is not.

Thirdly, you have the people who are walking across the public stage as not Communists but who are Communists. However, they all, all three of these groups, are all in this one conspiracy together.

Does that answer your question, or did you want a different definition?

Senator HICKENLOOPER. I think you have explained it in a little more detail than I was really asking for. I am glad to get it, but what I was trying to bring out is that there are persons of undoubtedly loyalty to the Communist cause whose names are not carried on any official roll of the Communist Party membership, or who are not so-called card-carrying Communists, literally, but who render yeoman service to the Communist Party with their identity secret and even every attempt made to conceal a direct association.

Mr. BUDENZ. There are hundreds of examples of that, and I will give you one personal illustration, the case of Dr. Norman Bethune, the Canadian physician who died in China with the Chinese Reds. That is an appropriate illustration.

Dr. Bethune was known widely as a non-Communist. He was very indignant whenever anyone proclaimed him to be a Communist, yet when he died Earl Browder arose in a public meeting and said, "When Dr. Bethune left for China the last request he made, because he was going into a war area, was, when he died, if he did die, it should be announced that he was of the army of Stalin." There is one illustration. I could give you many others.

Then there is Mr. Frederick Vanderbilt Field, who denied for a long time that he was a Communist, yet now very openly rejoices in the defeat of American imperialism in the Pacific, and as a Communist writing in this official theoretical organ which is for the leaders of the Communist Party, not for the rank and file. Therefore there are those persons, and I could tell you many, who, after being secretly Communist—well, in New York we had the case of Dr. Bella Dodd, who after many years' denying she was a Communist then came out in the teachers' union, suddenly, as a Communist. There are others of that type.

Senator HICKENLOOPER. Now may I ask you this question. Out of your experience as a Communist, who does the most effective work for the furtherance, the general furtherance, of the Communist cause, the known Communist or the secret Communist who denies his membership and about whom every cloak of removal or every method of removal from the Communist Party is thrown?

Mr. BUDENZ. Well, they are both important to the conspiracy. I want to tell you that. It is very important to the Communists to have an open party, a legal party, although they are not. They are a conspiracy and a fifth column. But in that respect the open Communist plays his part. But of course in the effectiveness of penetrating, infiltrating, and being able to influence, the concealed influence is a tremendous asset.

Senator HICKENLOOPER. And is the concealed Communist considered more important in the psychological direction of philosophy favorable to the Communist Party or is the open Communist considered to be more important along that line?

Mr. BUDENZ. Well, Senator, it is very hard to measure that. Each have their part to play, although as I said, in the deception and confusion of public opinion, necessarily the concealed Communist can play a larger role. However, he needs the open Communist to work with him, and therefore you can't measure the two. However, you must understand that the Communist Party has as its purpose not merely espionage. I hope I made that clear. I think that that is perhaps the lesser of the two things we should consider, but what the Communists call diversion or penetration, the influencing of public opinion, and therefore the concealed Communist is of tremendous value.

Senator HICKENLOOPER. Mr. Budenz, is it a fair assertion to say that the American people have pitifully little knowledge of the insidious and active work of the Communists in this country?

Mr. BUDENZ. Well, I think the American people have totally belittled the Communists because the American people think, thank God, in democratic terms, but they have to also add to that that they

think in terms of numbers. The Communists don't think in terms of numbers at all. They want numbers, but they want discipline. Stalin said, "We want cadres, military units, steoled units, people who will lie and steal, if you like." The Communists used to have a formula here; to make it all very brief, Browder used to belittle the party himself. "We have a very small party, but our influence is much greater." The Communist counts his effectiveness by the places where his followers are placed, by their influence over others.

I have given you an example, the United Electrical and Radio and Machine Workers' Union, 500,000 fine, patriotic Americans who were persuaded by a group of about 5 percent Communists to adopt many resolutions against the public policy of the United States, attacking the Marshall plan, attacking many other things, at their Boston Convention, that were for the good of America.

Senator HICKENLOOPER. Just two more questions, Mr. Budenz, and I shall finish—that is, two more themes, maybe three questions or so.

You are now an assistant professor at Fordham University, are you not, or what is your rank there?

Mr. BUDENZ. I am assistant professor of economics at Fordham.

Senator HICKENLOOPER. Prior to your acceptance or your appointment as assistant professor at Fordham University, did you make disclosure to the officials of Fordham University of your Communist background?

Mr. BUDENZ. I didn't have to make much disclosure, Senator.

Senator HICKENLOOPER. In other words, they were aware generally, of your history?

Mr. BUDENZ. Oh, yes, sir. Catholic authorities were thoroughly aware of my history. I am not giving them as verifying my character. Don't misunderstand me. But I am today, I am very proud to say, a member of the Catholic Church.

Senator HICKENLOOPER. Then, Mr. Budenz, it was with the knowledge that you had been a Communist and that you had recanted or foresworn communism and changed your beliefs—it was with that knowledge, that you were thereafter given this appointment as assistant professor at Fordham University; is that correct?

Mr. BUDENZ. Oh, yes, because the Catholic authorities appreciate that some of their great leaders—and I am not comparing myself to them—like St. Paul, who helped to stone Stephen, like St. Augustine, who was the enemy of the church for many years, have been in other camps. That does not compare me to them, but I mean to say the idea of redeeming yourself is important, and I am seeking to make amends for my conduct.

Senator HICKENLOOPER. I am in no way criticizing you, but the point I am trying to make is that Fordham University is a great and reputable university.

Mr. BUDENZ. But, Senator, I do not wish to use the prestige of Fordham University to support my own character. I will stand on my own feet. The fact of the matter is, however, that at least I was considered to be competent enough to teach young men economics and labor-management relations.

Senator HICKENLOOPER. I only want to observe that it is a recommendation at least in my mind for you that this great university would see fit, because I have some idea of their fundamental and patriotic purposes, to put you on its staff.

Now, one other question. You have been a witness for the Government in certain prosecution trials involving Communists. I believe you testified to that effect a moment ago.

Mr. BUDENZ. I have been, in my opinion, too often a witness, but I was unable to avoid it. I say too often, because it is not tasteful to me.

Senator HICKENLOOPER. And as a witness for the Government in certain Communist trials, therefore, you are bound to have been vouched for by the Federal authorities when they put you on the witness stand to testify in the prosecution of the case?

Mr. BUDENZ. Senator, I hesitate to throw upon my shoulders all of these commendations. I feel that perhaps it should be stated that I was a witness for the Government against the 11 Communists. I am not criticizing you.

Senator HICKENLOOPER. I am not commanding you, Mr. Budenz. I am neither commanding you nor condemning you. I am calling attention to certain open facts, and merely as a result of your statement and the knowledge that you were a witness sponsored by the Government in the trial of certain Communist cases it is bound to follow that the Government of the United States sponsored your integrity as a witness, when they saw fit to put you on the stand in support of the Government prosecution cases.

I am not asking you to comment on your own integrity nor upon what that means. I am merely making the observation that there are two instances where that sponsorship has become apparent.

I have no more questions.

Senator TYDINGS. Thank you, Senator Hickenlooper.

Mr. Budenz, will it suit you to come back here on Monday? Some of the members of the committee find it impossible to be here tomorrow. I would like to ask you a great many incidental questions, perhaps, and probably most of them in executive session—maybe all of them. I want to accommodate you as far as I can.

Mr. BUDENZ. Well, Senator, do you think it could be Tuesday? I will come back Monday. I am in the hands of the committee. I just have to make certain arrangements in New York.

Senator TYDINGS. We will make it Tuesday morning at 10:30, or let's make it 10 o'clock, and the meeting will be in room G-23, in the Capitol. That is a small room off the Senate Chamber, and the arrangements for it will have to be worked out. If you will be here Tuesday at 10 o'clock we won't call on you until then. I have asked you no questions, and I am going to defer my interrogation until then in order to give this general a chance to go.

Senator LONGE. Before we hear the general, it is my understanding that the vote of the committee was to hear Mr. Budenz in public session, and I didn't think we had voted to hear anybody else in public session.

Senator TYDINGS. You said yourself you had some questions you wanted to ask him in executive session. I am trying to accommodate you. That is what you said.

Senator LONGE. I didn't say that at all. My recollection is that the subcommittee voted to hear Mr. Budenz in public session today.

Senator TYDINGS. Yes.

Senator LONGE. I do not recall that we voted to hear anybody else in public session today, or at any other time.

Senator TYDINGS. That is right.

Senator LORGE. If we hear this general, whose name I do not know, does that mean we are going to go on hearing anybody that may be presented on any side of this case in public, because we will be here until Columbus Day if we do that.

Senator TYDINGS. I think we can hear the general. Mr. Fortas has requested the general. I will put it to a vote.

Senator LODGE. I just want to renew my observation that it is going to make very difficult the work of the investigative agencies who are charged with policing the disloyalty program in the Government, and it is going to continue to be injurious to the position of the United States if we prolong these public proceedings, and I just don't know when we are ever going to stop; if any time Mr. Fortas or Senator McCarthy or anybody else wants to put on a witness in public hearing they are going to do it, then those proceedings will have no end we will never get down to the serious business of ferreting Communists and disloyal persons out of the Government, and we will never give American diplomacy the chance to go ahead with the job of opposing communism all over the world.

Senator TYDINGS. We will have an executive meeting of the committee at 10:30 a. m. We will conclude our open hearing here today, and we can then decide on what kind of hearings we would like to have.

I would like to have the general come forward and be sworn.

Mr. ABE FORTAS (of counsel to Mr. Owen Lattimore). I think that it is a matter of plain fairness to permit some rebuttal, inadequate and not prolonged—

Senator LODGE. If everybody says that, Mr. Fortas, there will be no end to that, because then they can rebut you.

Senator TYDINGS. Do you solemnly promise that the testimony you shall give in this case pending before the committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

General THORPE. I do, sir.

Senator TYDINGS. Take a seat, sir, and give us your full name.

Senator HICKENLOOPER. In view of this procedure, I may say that I am informed that Senator McCarthy has a witness he would like to bring on almost immediately in public session.

Senator TYDINGS. All right.

Give your full name, sir.

TESTIMONY OF BRIG. GEN. ELLIOTT R. THORPE, UNITED STATES ARMY, RETIRED

General THORPE. I am Brig. Gen. Elliott R. Thorpe, United States Army, retired.

Senator LODGE. A little slower, please.

Senator TYDINGS. A little more clearly and a little more slowly, general, if you will.

General THORPE. May I read this statement?

Senator TYDINGS. You may read it, before the microphone, so we can hear you. You are a tall man.

General THORPE. Any statements or expressions of opinion made by me at this hearing in no way reflect the opinions or policies of the Department of the Army and reflect only my own opinions.

I have spent something more than half my 32 years of Army service doing intelligence work, the major portion in the Pacific Ocean and the Far East. I have done intelligence work in Hawaii, the countries of southeast Asia, Japan, Netherlands Indies, and the Philippines. During the war, I was Chief of Counterintelligence and Civil Intelligence on the staff of Gen. Douglas MacArthur. My last assignment prior to retiring in December was as military attaché at the American Embassy in Bangkok, Siam.

At this point I believe I should state I am not in possession of any files connected with my work, as they are, of course, in possession of the Department of the Army and consequently are not available to me, which I regard as quite proper. I do believe, however, it is entirely proper for me to express my strong conviction, based on careful examination, that Owen Lattimore is a loyal American citizen and is in no way an agent of the Communist Party nor of the U. S. S. R.

I have had three occasions to look into Owen Lattimore's conduct and loyalty. First in the early 1930's when I was examining the affairs of the Institute of Pacific Relations. Second, when he visited our theater of operation in 1944 and in 1946. Finally my last look at Dr. Lattimore was in 1947 while in charge of procuring Russian linguists for the Army.

To review these three instances, I should like first to mention the Institute of Pacific Relations. It is my personal belief that this organization contains within its membership highly respectable citizens interested in the Pacific Basin and the furthering of peace in that part of the world. It also has associated with it educators interested in using its facilities in their educational work. Finally it has, as have apparently all such organizations, the usual collection of intellectual panhandlers and screwballs. From my limited examination in recent years, I doubt the value of these latter characters to any intelligence-seeking organization.

As an intelligence officer of some years' experience, it is my belief that there is no information available to any foreign government through the Institute of Pacific Relations that cannot be better had through the Government Printing Office, the Coast and Geodetic Survey, or going and making a personal examination. In a country as free of access as this, there are practically no places denied foreign visitors other than a very few technical plants. I believe the Institute of Pacific Relations could profitably part with some of their people, but I doubt the capacity of such people to do any serious harm to the United States should they be so inclined.

To return to Dr. Lattimore, in examining the statements of the protagonists of Nationalist China on Dr. Lattimore, I have never, in my experience as an intelligence officer, heard a man so frequently referred to as a Communist with so little basis in fact. It is my belief based on careful examination that through the past 10 years Dr. Lattimore's opinions on China have been the primary basis for this accusation of disloyalty.

It should be borne in mind that there are no neutral views on China. Interested persons are for the most part emotional and positive to an extreme degree. Repeatedly I found people willing to call Lattimore a Communist and then be unable to offer anything more in substantiation than the belief that his opinions on China were pleasing to the

Communists. When I had finished looking into this man's loyalty, I found I had nothing but hearsay evidence, much of it obviously vindictive in character. There is no question in my mind that Dr. Lattimore has aroused a vigorous antipathy toward himself among the friends of the Chinese Nationalist cause.

As for Dr. Lattimore's ability to act as a spy for a foreign government, unless he has had access to top-secret information of which I am not aware, regardless of his desires, I rate his capacity for such action so small as to be of no value.

Based on my belief that Dr. Lattimore is and has always been a loyal citizen during the early days of our occupation of Japan, I asked and received his assistance in dealing with matters pertaining to the U. S. S. R. of a confidential nature. His assistance was of material value. When in 1947 I again sought his assistance in acquiring and training Russian linguists, he again gave valuable aid.

For me to say I know the innermost thoughts or all the secret acts of Owen Lattimore would be absurd. I can only say that were I called on to commit my personal safety and that of my command on information supplied by Dr. Lattimore, I would do so with confidence that he would always act as a loyal American citizen.

Senator TYDINGS. General, first of all give us a quick run-down by years of your various Army assignments, starting with, say, 1932.

General THORPE. Hawaii, the Philippines, Dutch East Indies. I was in the Dutch East Indies when we were overtaken by the Japanese. I got out of there and joined General MacArthur after I escaped from the Japanese, when the general came out of the islands, and I stayed as his Chief of Counterintelligence and Civil Intelligence until I returned home in 1946.

Senator TYDINGS. You were his what?

General THORPE. Chief of Counterintelligence and Civil Intelligence.

Senator TYDINGS. In what geographic area was your field?

General THORPE. The Pacific theater.

Senator TYDINGS. The whole Pacific theater?

General THORPE. Yes, sir; everything commanded by General MacArthur.

Senator TYDINGS. What time did you become his Chief of Counterespionage, what year—1941?

General THORPE. No; 1942; after he came out of the islands in February, 1942.

Senator TYDINGS. And you stayed with him until 1946, and then came home?

General THORPE. Yes, sir.

Senator TYDINGS. What have you done since 1946?

General THORPE. I have commanded the Army Language School Training at Monterey, Calif., and been military attaché at Bangkok, Siam.

Senator TYDINGS. Where were you stationed in the Far East while with General MacArthur?

General THORPE. All the way from Australia to Japan.

Senator TYDINGS. Did you have a force of agents working under you?

General THORPE. I did, sir.

Senator TYDINGS. How large was that force, if you feel you can tell us.

General THORPE. I would rather not, sir.

Senator TYDINGS. Don't do it, then. Were there a considerable number of them?

General THORPE. Yes, sir.

Senator TYDINGS. Did you have occasion to put any of these agents to investigating Dr. Lattimore?

General THORPE. I did.

Senator TYDINGS. Was the investigation continuous? That is, was it off and on, or did you do it all at one time?

General THORPE. We did it twice, each time he came to the theater.

Senator TYDINGS. Was it a cursory or a thorough investigation?

General THORPE. Sufficient so that I was willing—

Senator TYDINGS. You have made a pretty broad statement here.

General THORPE. So that I would allow him to see confidential documents, and after all I have heard about these various statements—

Senator TYDINGS. Was the advice he gave you the kind of advice that paid dividends eventually, or was it erroneous advice?

General THORPE. It was good advice.

Senator TYDINGS. Did you find any point in his exposition to you where it caused you to question his loyalty?

General THORPE. No, sir. In his aid to me I had no occasion to question his loyalty.

Senator TYDINGS. Did he show a partisanship for any other country besides the United States?

General THORPE. No, sir; not to my knowledge.

Senator TYDINGS. Were his opinions based, in your judgment, upon the welfare of this country, rather than foreign commitments on other countries?

General THORPE. I believe he was very earnest in aiding the United States.

Senator TYDINGS. I have to apologize for leaving. I have an engagement, as I said earlier in the day. I am going to leave my proxy with Senator Green and, Senator Green, I ask you if you won't take the chairmanship of the meeting in my absence.

Senator GREEN. Senator Hickenlooper, have you any questions?

Senator HICKENLOOPER. Yes.

General, you say you first met Mr. Lattimore in the early thirties?

General THORPE. Yes, sir.

Senator HICKENLOOPER. Where were you stationed at the time you first met Mr. Lattimore?

General THORPE. Sir, I would like to correct that. The first time he came to my attention was while I was responsible for investigating the Institute of Pacific Relations in Hawaii.

Senator HICKENLOOPER. Why were you investigating the Institute of Pacific Relations in Hawaii?

General THORPE. For the very reason that they were concerned about how effective they were as a subversive organization.

Senator HICKENLOOPER. And you had had some allegations that there was a chance that it was a subversive organization?

General THORPE. Oh, yes.

Senator HICKENLOOPER. So you were investigating them. In your investigation of the Institute of Pacific Relations, either then or later, did you find—and I am not asking you about the organization itself as a whole, there were individuals connected with the organization who were considered to be subversive? I may say to you that I may or may not ask you who the individuals were. I am asking you for the fact.

General THORPE. Subversive, having the capacity to do harm to the country? Yes. I think I can recall—I am sorry I can't tell you his name, but this was years ago; yes, there was one man in Hawaii at the time this question came up, and I am not sure, but I believe that was before Dr. Lattimore joined the institute. I have not rehearsed this with anybody; I have come here right out of the country.

Senator HICKENLOOPER. Did you come to the conclusion, not necessarily that the entire organization or its membership is subversive, but that there was evidence of subversive activity within the organization?

General THORPE. It wasn't so much subversive as chiseling. There was more evidence that there were people—I think the description "intellectual panhandlers" describes them, who go around in organizations and make a living getting jobs in various capacities. Their intentions may have been subversive but so far as ever producing any evidence of subversive acts, I was not able to do that.

Senator HICKENLOOPER. You say that on a couple of occasions, or on two different occasions later, when Dr. Lattimore came out to the Orient where you were—do you recall the years, approximately?

General THORPE. That he came out? I think it was in 1944. I am doing all this from memory.

Senator HICKENLOOPER. That is all right. I don't expect you to give exact dates.

General THORPE. Around 1944, I think, and then again after the end of the war with Japan.

Senator HICKENLOOPER. At the time you investigated the Institute of Pacific Relations and first came into contact with Dr. Lattimore, did you investigate him at that time?

General THORPE. I investigated the institute before I came in contact with him.

Senator HICKENLOOPER. Was he included in that investigation?

General THORPE. Yes, sir.

Senator HICKENLOOPER. Then when he came out to the Orient the first time, if you recall, in 1944, you investigated him again?

General THORPE. Yes, sir.

Senator HICKENLOOPER. And then the second time he came, in 1946, you again investigated him. What was the occasion for those two investigations? Were there allegations or charges or statements that he might well be investigated?

General THORPE. Sir, there is no one neutral about opinions on China. We have a great many people who were in our theater who were very important Nationalists and they were known, and I say their dislike for Dr. Lattimore was very earnest. He has certainly earned their cordial dislike.

Senator HICKENLOOPER. Yes; I can understand that. But were there allegations made to you derogatory to Dr. Lattimore's purposes in China, so far as our own policy was concerned, that caused you to investigate him to see whether they were true or not?

General THORPE. No, sir. We investigated people that came out to find out whether they were persons who could be trusted with confidential documents. This was during the war. We trusted everybody, but to make sure we checked them.

Senator HICKENLOOPER. Did you develop your own information there on the ground about him?

General THORPE. Most of it; yes, sir. Some of it from back here in the States.

Senator HICKENLOOPER. That is, reports sent from here in the United States?

General THORPE. Yes, sir.

Senator HICKENLOOPER. Did you have access to any investigative files that might have been compiled by the FBI or other departments at the time of those investigations, or either of them?

General THORPE. My theater, my field, has been the Pacific. My recollection is that we did not turn over to the FBI investigation of subversive activities beyond the continental limits until about 1930, I believe.

Senator HICKENLOOPER. Then in 1944 and 1946, when you had these two investigations of Dr. Lattimore—

General THORPE. At that time Mr. Hoover had representatives in my section. The cooperation was very close.

Senator HICKENLOOPER. My question that I was asking you is whether or not you had access, at the time you were investigating Dr. Lattimore, to any investigative files that might have been developed in the United States.

General THORPE. Yes, sir; I believe I did.

Senator HICKENLOOPER. You are not sure about that?

General THORPE. I never imagined I was going to be called on to ransack my memory on this.

Senator HICKENLOOPER. You said a moment ago, General, that Dr. Lattimore was shown confidential documents. What kind of documents was he shown there by you?

General THORPE. Sir, I am a retired officer. I do not have those documents.

Senator HICKENLOOPER. I am not asking you for the details. Were they secret, confidential, top secret, restricted, or what was their classification?

General THORPE. Sir, I cannot tell.

Senator HICKENLOOPER. Did you have all kinds of documents of various classifications?

General THORPE. From top secret down to restricted; yes, sir.

Senator HICKENLOOPER. To confidential and restricted?

General THORPE. Yes, sir.

Senator HICKENLOOPER. Was Dr. Lattimore given access to these documents in connection with matters that you wanted to ask him about?

General THORPE. Sir, I am sorry, I would have to say truthfully I don't remember.

Senator HICKENLOOPER. I understood you to say he was shown confidential documents.

General THORPE. He could have had access to them. I am sure he must have seen some confidential messages in connection with his work there that he was advising on.

Senator HICKENLOOPER. He was there to advise you?

General THORPE. He was advising me; yes, sir.

Senator HICKENLOOPER. And any document which would be necessary for his information in order for him to advise you would be accessible to him?

General THORPE. He must have seen them. Yes, sir; he must have seen them.

Senator HICKENLOOPER. That would be whether they were restricted, confidential, top secret, or secret?

General THORPE. That I can't remember.

Senator HICKENLOOPER. If it were necessary to show him the document in order to get his advice, he was cleared for access to that document!

General THORPE. He was cleared for access to it.

Senator HICKENLOOPER. General Thorpe, you spent some time in the Orient and in China and the places of that kind, and you are now retired. I would like to ask you whether you favor the recognition of Communist China.

General THORPE. No, sir.

Senator HICKENLOOPER. You do not?

General THORPE. I do not, sir. I would like to add, since you asked the question, it is a personal opinion.

Senator HICKENLOOPER. It is purely a personal opinion.

General THORPE. I cannot urge too strongly the seriousness of communism in the United States. That is why I am here.

Senator HICKENLOOPER. That is why we are here, too.

General THORPE. Yes, sir; but I would like you to understand my motive in coming here, sir. It is that of a loyal officer.

Senator McMAHON. What was your answer?

General THORPE. I would like to have you believe that I came here as a loyal American officer deeply concerned with trying to stop communism. That is why I volunteered to come before this committee, because I am concerned about communism, and communism should be earnestly looked into. I am sure it is much greater than people can realize. I have just come from a country where—

Senator GREEN. This hearing is connected with an individual.

General THORPE. Yes, sir. He asked my opinion about an individual.

Senator GREEN. Why did you come in that connection?

General THORPE. Why did I come?

Senator GREEN. What is your purpose in asking to be heard?

General THORPE. Sir, I came here because I am concerned as an intelligence officer about a person. I am greatly concerned about cutting off our sources of supply. I have stated my belief in regard to Dr. Lattimore, and no one else, and I am concerned that people who handle Communist documents, people who are seen with them, if they are going to be accused of communism when they in my opinion are not, it is going to cut off what little bit we have left in the way of information.

Senator HICKENLOOPER. General Thorpe, I don't think anyone here is questioning your loyalty in the slightest. That element is not entering into it, so far as I know.

General THORPE. Thank you, sir. Senator Lodge thought I was highly improper in staying.

Senator LODGE. I have said nothing at all.

General THORPE. I mean before I made my statement.

Senator LODGE. You are putting words into my mouth. I have said nothing. I hope to question you in a minute, but I haven't said anything yet.

Senator HICKENLOOPER. General Thorpe, were you connected with the preparation of an intelligence report in connection with a man named Norman shortly before you left China and came over to Japan and came back over to the United States, whose report was submitted to General Willoughby?

General THORPE. Norman! I don't recall the name.

Senator HICKENLOOPER. You don't recall a man by the name of E. Herbert Norman?

General THORPE. Oh, yes; yes, sir. He is the Canadian representative. Oh, yes.

Senator HICKENLOOPER. That is the fellow. Were you associated with Mr. Norman in preparing a report that was transferred to Mr. Willoughby shortly before you came back to the United States?

General THORPE. Not that I know of. Dr. Norman was associated with my section in SCIAF Headquarters until he was appointed Canadian representative on the Far East Commission, that is correct, but I don't remember ever making a report on him, sir.

Senator HICKENLOOPER. Did he make a report which was filed with you for transmittal to the proper channels on the political situation in Asia?

General THORPE. Sir, not that.

Senator HICKENLOOPER. And with certain recommendations?

General THORPE. Not to my knowledge, no, sir. That must have been after I left.

Senator HICKENLOOPER. I am asking about shortly before you left.

General THORPE. No, sir. So far as I recall, I do not remember that.

Senator HICKENLOOPER. I am not necessarily assuming such report was made, but following up my question, a report which was submitted to you and which you approved and transmitted on to General Willoughby.

General THORPE. Not to my knowledge. I was not under General Willoughby. I reported directly to the Chief of Staff, and did not report to General Willoughby. I had no occasion to transmit reports to him.

Senator HICKENLOOPER. Change my question to the transmission of the report to the Chief of Staff on the political situation in Asia.

General THORPE. Not that I recall. In Asia? That I am sure I did not. On something in Japan, I may have submitted a report at the time we were investigating war criminals, but I am sure it was not while I was there.

Senator HICKENLOOPER. And was any report on either Japan or China, which had been approved and transmitted by you, the subject of controversy within the general headquarters in Japan? In other words, were you called upon to explain or discuss the implications of a political report which you had O.K.'d?

General THORPE. No, sir. I am sure that someone has it confused, and that must have been after I left, because, if you mean a report in which there was disagreement in the staff, and I was called on to defend the report, no, sir.

Senator HICKENLOOPER. Something of that nature.

General THORPE. No sir. I am sure that they have me mixed up with someone else in this.

Senator HICKENLOOPER. I think that is all, Mr. Chairman.

Senator GREEN. Senator McMahon, have you any questions?

Senator McMAHON. What are you doing now?

General THORPE. Sir, I just retired from the Army. I am trying to get my home up in Rhode Island straightened out. That is all. I am right now trying to take care of my personal business. It is not a matter of life and death; it is a matter of personal business. I had no idea it would be so embarrassing.

Senator McMAHON. Did you come up through the ranks?

General THORPE. Yes, sir.

Senator McMAHON. You went in as an enlisted man in what year?

General THORPE. 1917.

Senator McMAHON. And then you stayed in the Army?

General THORPE. Yes, sir. I came out of Rhode Island State College into the Army and stayed in until I retired last year.

Senator McMAHON. When did you start intelligence work?

General THORPE. I think at the Peace Conference in Paris after World War I.

Senator McMAHON. Did I understand you to say that Lattimore was a part of your organization?

General THORPE. No, sir. He was an adviser, but he was not—I cannot say that he was—a part of the organization. He came over with the Pauley Commission, and he was considered one of the best-informed people on the subjects with which he wanted to deal, and therefore we asked him for his advice.

Senator McMAHON. General, you have heard Lattimore's views on China expounded, have you not?

General THORPE. Sir, I am not here to defend Dr. Lattimore's views. I am merely here to state that it is my opinion that he is a loyal American citizen. I know him to be.

Senator McMAHON. Did you discuss those views with him when you were engaged in work with him?

General THORPE. In China, or about China?

Senator McMAHON. Yes.

General THORPE. Not particularly, because we were concentrating on Japan, and at that particular time we were not interested in the Chinese. We were interested in Russians and Japanese. So far as any discussions of Dr. Lattimore's views on China, I am unable to offer anything.

Senator McMAHON. General, I presume that the restrictions of your trade are such, or the trade from which you retired, your occupation, that you cannot go into details relative to the kinds of assignments that Lattimore had.

General THORPE. No, sir.

Senator McMAHON. Would it be possible at some future meeting of the committee in executive session for you to develop that matter?

General THORPE. I am sorry, but I am a retired officer, and as such I feel that that information should—

Senator McMAHON. You would have to get a release from the Secretary of Defense?

General THORPE. Yes, sir.

Senator McMAHON. Or the Secretary of War?

General THORPE. Yes, sir. You understand my position?

Senator McMAHON. I do. I understand it perfectly. But I take it if you were released by the Secretary of Defense, or the Secretary of War, you then would be able to go into more detail with us concerning these transactions between you and Lattimore.

General THORPE. Sir, I hope this is my final appearance here.

Senator McMAHON. It occurs to me that since you have given such a forthright opinion here, and you largely based it upon your conversations and your knowledge of his activities in the Far East, that it would be most helpful in evaluating your testimony if we had a complete exposition of the relationship that he bore to your organization. That is my only purpose in suggesting that. Perhaps the other members of the committee might think that it was a good idea to get a release for you by the Secretary of Defense.

General THORPE. I feel it would serve no useful purpose. You know my opinions now. You can take them or discard them, according to your judgment. Were I to take up your time for days on end, and were I to go into detail here, I feel I would not be helpful to you.

Senator McMAHON. That is all.

Senator GREEN. Senator Lodge?

Senator LODGE. General, when did you write this statement?

General THORPE. Yesterday.

Senator LODGE. So you thought you were going to appear today?

General THORPE. I knew it. I came down here. I came all the way from Minnesota to appear here.

Senator LODGE. I think it would have been courteous if we had known about it, because it helps us, you know. We have a job to do.

General THORPE. I apologize sir.

Senator LODGE. Just a minute, sir. It takes some time to study these matters and prepare yourself to ask intelligent questions and to do the job that we are supposed to do.

When was this mimeographed? Do you know?

General THORPE. Yes, sir; last night.

Senator LODGE. I think it is something somewhat less than frank to have prepared this yesterday and mimeographed it yesterday and the first thing we know about it is half-way through the morning.

Mr. FORTAS. May I ask that that criticism be directed to me and not to the general? If you should have been advised to that effect, it was my responsibility.

Senator LODGE. I am not undertaking to address it to anybody, but I am interested in orderly procedure and I am interested in things being done in an orderly and just, and as fair a manner as possible, and I want to avoid the atmosphere of chaos and the atmosphere of a circus, and I want to get ferreted disloyal people out of the State Department, and I think this device, with all these movies and all this sort of thing, is not the way to get disloyal people out of the State Department.

Will you be available to be questioned in executive session?

General THORPE. Sir, I don't live in Washington.

Senator LODGE. Rhode Island isn't very far away. I go through Rhode Island when I go to Boston. I go to and fro.

General THORPE. I am not there yet. I haven't had a chance to go to Rhode Island yet. If the committee would be good enough, and I

am sure you are going to be disappointed in my lack of information when I come back here, if you want me to come. I came voluntarily this time and, to be perfectly honest, it is expensive for me to come here.

Senator Lodge. I think it would be preferable from your viewpoint, as well as every other, to question you in executive session.

General Thorpe. Sir, I have no objection to this.

Senator Lodge. You would come if you were asked, would you not?

General Thorpe. Oh, sir, I am interested in anything that will help further the cause of eliminating communism in the United States.

Senator Lodge. All right. Thank you very much.

Senator HICKENLOOPER. Mr. Chairman, inasmuch as Mr. Fortas has assumed full responsibility, I would like to know whether Mr. Fortas notified the chairman of this committee that the General would be here; if he did, when he notified the chairman of the committee and what the circumstances are surrounding that. Apparently the general was brought down here from Minnesota, or came down from Minnesota, yesterday, prepared to testify today, and the first notice I ever had was when the proposal was made this morning, and certainly I was laboring under the assurance that we would have only the one witness today.

Mr. FORTAS. Senator, if that was your understanding, it certainly was not the understanding that I got. I got the understanding from previous statements—perhaps they were statements of the chairman alone—but from previous statements by this committee, by an authorized source on this committee, that Mr. Budenz would be put on the stand and that I, as counsel for Mr. Lattimore, would then have an opportunity to produce such witnesses in rebuttal as might occur to me. I know of no rule and no custom, with all apologies to Senator Lodge—

Senator Lodge. Wait a minute, Mr. Fortas.

Senator GREEN. One at a time, please.

Senator Lodge. Don't talk to me about rules and customs, Mr. Fortas, because I am not a lawyer, and this is not a court and this is not a legal proceeding. These are elected Senators representing the people, and we are not a lawyer, and all I say is that if I am going to do my job thoroughly, it is only courteous to give me a chance to know what is coming, so I can do a little home work. That is all I said. I am not talking about law and custom.

Mr. FORTAS. Senator, I was about to say that if there is a custom, or if this committee now instructs me that it would prefer to have any statements handed to it in advance, I shall of course comply. I was not so advised previously.

Senator HICKENLOOPER. Do you care to state, Mr. Fortas, in answer to my question which I asked you a while ago, if you notified anybody on this committee of the general's appearance today? If so, when did you notify, and whom?

Mr. FORTAS. My best recollection, Senator, is that several days ago I mentioned to the chairman that I hoped that General Thorpe would be here.

Senator HICKENLOOPER. Did you notify the chairman or anybody on yesterday or at any time when you knew that he would be here that he would definitely be here today?

Mr. FORTAS. I think I did, Senator. I think I notified the chairman.

Senator HICKENLOOPER. You are a very intelligent and able man, Mr. Fortas—

Mr. FORTAS. Thank you.

Senator HICKENLOOPER. And this has only been a day or so, and it would seem to me that your memory should serve you sharply in this short time, and you could say definitely whether or not you did or you didn't, because only 2 or 3 days has gone by.

Mr. FORTAS. I appreciate the Senator's compliment, but I am telling the Senator that I think that in a conversation with Senator Tydings on yesterday I did tell him that the general was in town, and that I would bring him to the hearing; and I will not be any more positive than that, because I cannot be. I saw the Senator for about three-quarters of a minute, or something thereabouts, in his office, and he was in a great rush and saw me and quickly ushered me out the door.

Senator HICKENLOOPER. That was yesterday?

General THORPE. Yes.

Senator HICKENLOOPER. That is sufficient. Thank you.

Mr. FORTAS. Now, Mr. Chairman, I should like to make a point of inquiry here, if you are through with the general. Are you?

Senator GREEN. Yes; thank you very much.

Senator HICKENLOOPER. I wonder if counsel has any questions to ask.

Mr. MORGAN. Thank you, Mr. Chairman. I don't believe I have any questions.

Mr. FORTAS. Mr. Chairman, I should like to make a point here about procedure, and it is an inquiry. It was my understanding, and I now respectfully request, that Mr. Lattimore be given an opportunity to appear in public session before this subcommittee in order to make such reply to Mr. Budenz as he may see fit.

Senator GREEN. Mr. Fortas, if you have received that information, it is correct. We will afford Mr. Lattimore an opportunity to reply to Mr. Budenz.

Mr. FORTAS. Mr. Chairman, may I say we should like to have at least 24 hours from this time to consider Mr. Budenz' remarks, and for Mr. Lattimore to prepare himself?

Senator GREEN. As I understand it, there is no intention of having any meeting before next Tuesday.

Mr. FORTAS. That is fine, sir.

Second, Mr. Budenz in his testimony asked the committee to subpoena Mr. Frederick V. Field. I should like to join in that request, and I should like to state my reasons very briefly.

Some days ago there was a radio announcement, or a statement by a radio commentator, to the effect that Mr. Budenz would say that he had received information from Mr. Field that Mr. Lattimore was connected with the Communist Party. I thereupon traced Mr. Field to Las Vegas, Nev. I do not know Mr. Field. To this moment I have not seen him. I told Mr. Field of the rumors, and asked him to send me a letter as to whether the allegations were true or false. I should like at this moment to read the letters and offer them for the record.

Senator HICKENLOOPER. Mr. Chairman, I object. If we are going to get Mr. Field we will get him here under oath and he can give his own testimony.

Senator GREEN. This matter will be taken up in executive session by the committee—your request.

Mr. FORTAS. May I merely state, Mr. Chairman, that I believe that these letters are pertinent to the committee's consideration of whether it will subpoena Mr. Field?

Senator GREEN. We are not going to discuss it here publicly. You can submit to the committee the letters.

Mr. FORTAS. My third point is this: I have before me an affidavit that I should like to offer for the record at this time.

Senator GREEN. What is the nature of it?

Mr. FORTAS. I am sorry I do not have enough copies for all the members of the committee. It is an affidavit by Bella V. Dodd, who was a member of the Communist Party, a member of its national committee. She was a member of the national committee from 1944 to 1948. She was expelled from the Communist Party in June 1949 after charges had been preferred against her on account of her opposition—

Senator GREEN. What request are you making in connection with the affidavit?

Mr. FORTAS. I am offering it for the record. Would you like me to read it?

Senator GREEN. We have no sworn witness to offer testimony, and there is nothing to go in the record.

Mr. FORTAS. May I, on behalf of Mr. Lattimore, offer this as an exhibit?

Senator LODGE. Why can't you do that when he appears?

Mr. FORTAS. This witness has not been subpoenaed. I have no right to subpoena.

Senator GREEN. You just requested a subpoena for Frederick V. Field.

Mr. FORTAS. That has not been granted.

Senator GREEN. It has not been refused, either.

Perhaps Mr. Lattimore, when he appears again, can present this affidavit.

Mr. FORTAS. You prefer that procedure to my offering this now?

Senator GREEN. Certainly.

Mr. FORTAS. All right, Mr. Chairman.

Senator HICKENLOOPER. Mr. Chairman, by my silence I do not mean to give consent to the procedure. I think, if in the opinion of the committee the witness is necessary, the witness should be subpoenaed.

Senator GREEN. Certainly, but I say this affidavit can be presented then and we can take it up at that time.

Mr. FORTAS. Mr. Chairman, I know no better way of presenting the facts with respect to a prospective witness to this committee than by offering a statement or an affidavit, but I leave the matter where it is.

Senator GREEN. Thank you.

Is there anything else?

The meeting stands adjourned.

(Whereupon, at 5 p. m., the hearing was adjourned, to reconvene in executive session at 10 a. m. Tuesday, April 25, 1950, in room G-23, U. S. Capitol.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, APRIL 25, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 281,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met in executive session, pursuant to call, at 10:30 a. m., in room G-23, United States Capitol, Senator Millard E. Tydings (chairman of the subcommittee), presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally, chairman of the full committee; Mr. Louis F. Budenz; and Mr. Edward Morgan, chief counsel for the subcommittee.

(Following off-the-record discussion in regard to committee procedure.)

Senator TYDINGS. All right, let us proceed with Mr. Budenz.

(Mr. Budenz entered the room.)

Senator LODGE. Here is Mr. Budenz.

Mr. Budenz, you said in your testimony on April 20, and I quote:

In this cell was also Owen Lattimore. This I know from reports received in the Politburo, and given to me officially as managing editor of the Daily Worker.

Now, are those reports available?

Mr. BUDENZ. Oh, no; they are not. No communications or reports of that character that come in are available. They rely purely on oral transmission of instructions.

Senator LODGE. When you say a report is received at the Politburo, that is a verbal report?

Mr. BUDENZ. Oh, yes. All reports are verbal except those that come on onionskin, occasionally. That is Communist practice.

Senator LODGE. There are records or reports of any kind that could be subpoenaed and found?

Mr. BUDENZ. The only thing that could be subpoenaed are certain Communist leaders that I suggested, such as Jack Stachel; and, I would also suggest subpoenaing, although I am not sure of this, but I wish to cooperate in it, a Manning Johnson, a Negro Communist leader, who is now out of the party.

Senator LODGE. Let me ask you this question: In view of your previous statement that a Communist has no hesitation about perjuring himself, what good does it do to get those men?

Mr. BUDENZ. At the trial of the 11, Senator, I believe you will find in the record that they were compelled to make admissions which were very damaging to themselves. Now, I do not know that that can be the case here, but I do hope that it can be. Certainly it did prove to be the case there. There, you had the same situation exactly: The only written documents you had there were the official pronouncements of the Communist Party, and yet by oral evidence they were convicted, and that is the only way you can convict Communists.

Senator LONG. Later on, on Thursday, last Thursday, you said "In 1944, Jack Stachel advised me to consider Lattimore as a Communist."

Now, what is the significance of that statement? Did he say that to you—for what purpose did he say that to you?

Mr. BUDENZ. That was in order that I would be able, in case of a hearing that Lattimore, any comment on Lattimore, or discussions on Lattimore, to take his reports or statements as authoritative. We had that understanding in regard to a great number of people in the Daily Worker. That is what I was assigned to do, keep track, in order that, when copy came to me, I would be able to handle situations properly.

Senator LONG. That was made to you with the definite purpose, a definite purpose and not just a casual remark?

Mr. BUDENZ. That was an official, definite purpose. That, by the way, was not only a definite purpose, I might call it a custom or rather a practice—"practice" is a better word.

Senator LONG. Now, you have referred, in your testimony the other day, to other witnesses, and one of those, I gather from what you just said, Manning Johnson—

Mr. BUDENZ. Well, I am not certain that Manning Johnson will be able to substantiate what I have said. I mentioned him for the reason that among the Negro comrades the Pacific question was very much more brought up than among other Communists. They were given the responsibility, on a number of occasions, of handling the Pacific questions, within a certain degree within the party, and it may be he will be able to do it.

In addition to that, I have suggested the other witnesses.

Senator LONG. Field, Jasse, Browder, and Stachel?

Mr. BUDENZ. That is correct; especially Stachel.

Senator LONG. Who else?

Mr. BUDENZ. That is all for the moment.

Senator LONG. All for the moment!

Mr. BUDENZ. I may be able to suggest more, before this session is over.

May I make a remark, Senator?

Senator LONG. Yes.

Mr. BUDENZ. This isn't arbitrary. I said my statement could be corroborated, because I am certain that, while this is a small group that knows about this, someone like Manning Johnson, or others, will also know it. I am not certain that he is the man, but I have a general impression he might be. He was a member of the national committee who was interested in the Pacific question and from time to time was in touch with the Pacific question.

Now, one of the men that will be able to be of some help—at least, in certain admissions I shall be able to show you in a minute—is Frederick Vanderbilt Field. He will be a very reluctant and hostile witness, although of course a man that will not perhaps show his hos-

tility; but his long acquaintance with Mr. Lattimore, and association, will enable you, I think, to elicit certain information from him.

Senator Longe. In the hearing the other day Senator Hickenlooper made a point which I thought was very important, and I wanted to cite it to you, because it forms the basis for a question I want to ask you.

Senator Hickenlooper said:

I am, of course, obviously asking you whether it is necessary for those who are in the inner sanctum of the party to be convinced that someone is a Communist only upon personal association and personal admission by that person to the one so assuming.

To me, that is a significant point, because it indicates that in this whole contemplation we are dealing with hearsay evidence, but there are various degrees of hearsay evidence.

So far as liability is concerned, hearsay evidence, when official in character and deliberately done, as you say this was, is much more persuasive than just casual.

Now, these statements you made were all made by these Communists in this official capacity; is that right?

Mr. BUDENZ. That is correct. There was an official practice which was carried out regularly; that is to say, in my specific instance, being managing editor of the Daily Worker—and, by the way, that is a life-and-death matter. I want to assure you gentlemen this is no casual matter for the managing editor of the Daily Worker. It is what I would call a political life-and-death matter that he have no errors in the publication in regard to the different individuals or in regard to different issues. Consequently, you are constantly refreshed by the liaison officer of the Politburo, who comes in every day and makes changes from time to time, personnel changes, but for the larger period of time it was Jack Stachel. He is, by the way, the most powerful member of the Political Bureau. He is the man, incidentally, closest in touch with the Communist International "apparatus."

Senator Longe. Pursuing that same line, Senator Hickenlooper then said:

Let me ask you: During this period of 10 years, did you have occasion to be able to test, from time to time, the truth in what those men reported as Communists to the high command of the Communist Party here? In other words, did you have a chance to test their veracity, so far as it was concerned in their report?

And you gave this answer, Mr. Budenz:

Repeatedly. I don't know that I can give you illustrations right now. I could give you illustrations if I had the time to think it over.

Well now, you have had a little time to think it over. Could you give us illustrations proving the veracity of these Communists?

Mr. BUDENZ. This is just something that has occurred so frequently, perhaps, I can't grasp it for the moment; but, as a matter of fact, that was the whole center of their information.

I will give you one example. Mr. Alger Hiss is an example, and I have to refer to him because he is so outstanding and is well known but I would be able, upon reflection, to even furnish to the committee in written form instance after instance, which would be the reason I mentioned it in that fashion. I could take matters which are public record, more than personal knowledge, incidents in which this would be conformed.

Senator LODGE. It seems to me it is very pertinent to have any information that the witness can give which will show that these assertions by Communists in the past, on their own internal organization, have been accurate. I would like to request, Mr. Chairman, that Mr. Budenz furnish us with illustrations of this veracity.

Mr. BUDENZ. I will furnish you with a written report—which, of course, will still be under subpoena—of a number of such instances.

Senator LODGE. Now, I asked you the other day if you could give a specific illustration of when Lattimore received an instruction and carried out an instruction which came to him from the Communist organization; and you stated that the most specific instance that you could make was when he was instructed to portray the Chinese Communists as agrarian reformers—

Mr. BUDENZ. To direct it.

Senator LODGE. What?

Mr. BUDENZ. To direct that campaign.

There is another example I might give.

Senator LODGE. All right, go ahead.

Mr. BUDENZ. That is in regard to the Communists writing in the Pacific affairs. I brought a list here today and that is one of the reasons I requested an executive session, Senator; because it seemed to me that it would not serve the public interest to be spreading the names of all of these people all over the papers, and I believe that you know my sentiments are rather in favor of trying to get into this thing in executive sessions wherever possible.

Now, the thing is that I have a list here. Of course, I could answer your first question, if you wish it—

Senator LODGE. I think that would be more orderly, if you did. I would like, if you could say when, where, and how Lattimore received these instructions, or this instruction.

Mr. BUDENZ. Well, now, Senator, here I am in executive session, I suppose, and in this respect I will have to mention the fact that necessarily I did not follow Mr. Lattimore around. I only know that in Political Bureau meetings, which I attended, I heard instructions made that these things were going forward, and I saw visible evidences of it going forward in the tremendous campaign which took place in book after book on this subject.

Now, that Mr. Lattimore personally had a conference with this gentleman or that, I cannot tell you.

Senator TYNDERS. How was that?

Mr. BUDENZ. That he had a conference with this writer or that one, I cannot tell you because I was not present.

Senator TYNDERS. I did not catch that.

Mr. BUDENZ. But, I have heard reports that this campaign was proceeding, and that it bore full fruit about 1943.

Senator LODGE. Do you know, did any Communist worker tell you that he told Lattimore to start this campaign?

Mr. BUDENZ. Oh, yes; that was the substance of this report. That was why I was advised, not only that they had started—

Senator LODGE. Who told you that?

Mr. BUDENZ. That was the report made in regard to this session in 1937. This was Browder's report, and Field's report.

Senator LODGE. He told you that Lattimore had received these instructions?

Mr. BUDENZ. Yes; that he had received them—that is to say, first, I was thinking of the meeting when they said they were going to give them to him. Later on there followed this report and others verifying them, specifically Browder and Stachel confirmed that the instructions were being carried out.

Senator LODGE. Did they say where they had given them, somebody going to see him at his house, or were they given to him over the telephone?

Mr. BUDENZ. No, no.

Senator LODGE. You don't know the procedure?

Mr. BUDENZ. As a matter of fact, Senator, the Communists' reports to the Politburo don't go into details of that character. They give the general report on the campaign that is taking place, what is happening, and a general résumé of the situation.

Senator LODGE. So, you could not pin point all those details?

Mr. BUDENZ. No; I never so claimed.

Senator LODGE. I know.

I realize you have not, but I am just asking. I am not trying to say that you claim that you could, but I was asking you whether you could.

Then, you think that he received the order, and then you believe that he carried out the order. What makes you think he carried out the order?

Mr. BUDENZ. Well, that is the information which I received officially, that he carried out the order, and was proceeding, the campaign was proceeding, and Lattimore was participating in directing the campaign. I saw it proceeding publicly and therefore I took it for granted.

Senator LODGE. By that, you mean you saw his books and magazines and articles and speeches?

Mr. BUDENZ. Not his, but the books and magazine articles being used publicly for this.

Senator LODGE. What did you think was his connection with these books and magazine articles? Do you think he furnished the materials?

Mr. BUDENZ. Not the materials necessarily, but directions. It is common Communist practice to give directions to others in regards to a thing.

Senator TYDINGS. I cannot hear you.

Mr. BUDENZ. That is a common Communist trait, to give directions to others in regard to a campaign.

Senator LODGE. So, the people who were writing the speeches and making the speeches, and writing the articles and books were Communists?

Mr. BUDENZ. Quite a few of them were; yes, Senator.

Senator LODGE. Otherwise, they would not have been?

Mr. BUDENZ. One man I do not know to be a Communist was Harrison Foreman, but Communists have a way of getting people to also write who are not Communists, on occasion. Harrison Foreman, so far as I know, was not, but some of the others were; yes.

Senator LODGE. Because otherwise, is it not true they would not have been responsive to Lattimore's directions?

Mr. BUDENZ. That is correct. They were Communists.

Senator LODGE. Because if they were Communists, by the same token they probably follow the same policy, or would, anyway, whether they got it from Lattimore or not.

Mr. BUDENZ. Not necessarily. There has to be a channel of communication.

Senator LODGE. To tell them what to do?

Mr. BUDENZ. Of course. Today Eisler is very powerful in Germany, because he knows all about America, and can direct a campaign against us. He is the channel of communication there and always cadres are developed. They develop people for special fields, or specific fields. One man may be valuable in one field and another man valuable in another field.

Senator LODGE. You mentioned this man Harrison Foreman as a man who took the line that the Communists favored, although not being a Communist himself.

Mr. BUDENZ. That is, I do not know that he is a Communist.

Senator LODGE. We all know there are cases of men who say the things the Communists believe, without being a Communist themselves; do we not?

Mr. BUDENZ. Yes, sir. Many of them are influenced by Communists.

Senator LODGE. They may be dupes, may they not?

Mr. BUDENZ. That is correct.

Senator LODGE. You do not think it is possible that Lattimore fell in that category, or falls in that category, of not being a Communist but being a man not skilled in the ways of the world, and had something suggested to him?

Mr. BUDENZ. I can only rely on the statements given to me, and these statements are authoritative; and, following the channels that Communists' communications follow, and to my understanding, or rather to my knowledge, have always been accurate.

Senator LODGE. I know you have a great reputation for accuracy.

Mr. BUDENZ. Not I. I say they have been accurate within the authority; not my own accuracy. I mean their accuracy has been tested, as I have said over and over again, within the party. It is essential that this army of sedition, this army of destruction should be based on facts. That is to say, it is an error of the most serious moment, if facts are not stated, within the Communists themselves.

Senator LODGE. You would not know, then, from where you were sitting, of anyone who had received a personal directive from Lattimore; would you?

Mr. BUDENZ. I would not know; no, sir.

Senator LODGE. In addition to directing this campaign to change public opinion about China, is there any other major job that you think he did?

Mr. BUDENZ. There is this one special thing that I can point to, and that is the matter of getting Communists to infiltrate the Pacific Affairs; that is the publication of which he was editor.

Senator LODGE. Getting jobs for them?

Mr. BUDENZ. Getting them to write. It was not jobs, it was influence—American businessmen and American professors and American people of good will toward the Pacific in their way of thinking. You must remember this type Institute of Pacific Relations was founded by the Young Men's Christian Association. Therefore, they had a group of people the Communists were very eager to influence. I compiled a partial list. Here is my embarrassment, Senator: I am unaware of whether this list is going to be given out, and while I was watching

with interest the discussion here, this is one of the reasons I asked for an executive session.

Senator TYDINGS. What do you mean "be given out"?

Mr. BUDENZ. I mean, would it be made available for anyone?

Senator GREEN. That is for the committee to decide.

Senator TYDINGS. The committee will have to decide that.

Senator GREEN. We do not have to decide before we hear it.

Mr. BUDENZ. The reason for this is, Senator, that—No. 1, some of these people may still be engaged in activities that would deserve further scrutiny; others may have broken with the party. In other words, this is a heterogeneous group of people, so far as the present listing is concerned.

Senator TYDINGS. They were writers on the paper?

Mr. BUDENZ. Repeatedly have written for the Institute of Pacific Affairs.

Mr. MORGAN. One observation, Mr. Chairman: On this list, one of the names is that of one of the other men who has been publicly charged and has appeared before this committee. It seems to me that this list presents a mechanical problem that the committee is going to have to wrestle with right now because the list is of those writers whom Mr. Budenz will identify as Communists that wrote for this magazine at the time that Mr. Lattimore was the editor of the magazine; and as I say, in that list, is one of the individuals who has been publicly charged, and who has replied and appeared before our committee.

Senator LODGE. Was he one of the writers?

Mr. MORGAN. That is right; is it not, Mr. Budenz?

Mr. BUDENZ. Yes.

Senator LODGE. May I ask, before going further—this is a list of these writers and speakers that we have been referring to in the colloquy between you and myself, that is supposed to—

Senator TYDINGS. Will you pardon me?

Senator LODGE. Yes.

Senator TYDINGS. Delete the name of _____ until the committee decides whether it ought to go in the record.

Senator LODGE. I want to relate this list Mr. Budenz has, to understand what the significance of it may be. These are names, are they, of men who were writers or speakers that were supposed to have taken directives from Mr. Lattimore?

Mr. BUDENZ. Not necessarily directives; these are writers or speakers placed on the Pacific Affairs by Mr. Lattimore, who are Communists.

Senator LODGE. I see. Let me ask you this: To go back to the first category, have you got the names of writers and speakers that engaged in this campaign to change American opinion on China, that you were referring to?

Mr. BUDENZ. I can furnish you with such a list.

Senator LODGE. I think we ought to get that list, because it may be that in that list we will find a man who said he received a directive.

Senator TYDINGS. All right. I have no objection to getting the list.

Senator LODGE. This Mr. Harrison Foreman that you speak of, I think we ought to get him and find out.

Senator TYDINGS. Do what?

Senator LODGE. Get this Harrison Foreman whom Mr. Bunde~~x~~ mentioned.

Mr. BUDENZ. I can furnish you with the list of writers. I haven't them with me today; I didn't know it was pertinent.

Senator LODGE. And have the staff see if any of those men, what they say in regard to the question of whether or not they were communicated with by Mr. Lattimore, and if so, for what purpose.

Senator GREEN. Is it a list of names whom you know to be Communists?

Mr. BUDENZ. Well, now, Senator, the question now is again up—that is to say, I know some of these people personally, face to face; others—

Senator GREEN. I didn't say face to face; I say, you know them to be Communists.

Mr. BUDENZ. I have been advised officially that all these people are Communists.

Senator TYDINGS. I had no chance to question you the other day, Mr. Budenz.

I would like to ask you a few questions. How do you know that Mr. Lattimore personally employed these people to whom you refer?

Mr. BUDENZ. I only know it from the reports that came to me, that he was doing that; that is, the reports in the Political Bureau; and, the fact that in substantiation you shall find his name as editor.

Senator LODGE. In other words, you were told by what you believe to be competent authority that that was to be the case.

Mr. BUDENZ. And also supported by the printed record, in this sense that Mr. Lattimore's name, as editor, appears on the publication in which these people write, and they increasingly wrote from 1936 on.

Senator TYDINGS. But you have no concrete proof of your own that Mr. Lattimore personally employed these people.

Mr. BUDENZ. Oh, no; no concrete proof. That is, I mean I have never seen Mr. Lattimore do it, never seen the act of him doing it.

Senator TYDINGS. But you were told that he did.

Mr. BUDENZ. I was told officially. Also, I say their names appear in Pacific Affairs and they did appear there, and reference to the publication will show that they wrote repeatedly from 1936 on.

For instance, I will give you an illustration so that you will see the point: Mr. James S. Allen, an open Communist, the Communist International representative for the Philippines, and later on foreign editor for the Daily Worker, who was well known as a Communist, wrote Reconstruction and many other Communist pamphlets and books, and his writings appeared at least four times, if I am correct, in the period that Mr. Lattimore was editor.

Senator TYDINGS. But, you don't know that Mr. Lattimore induced him to write.

Mr. BUDENZ. Only that Mr. Lattimore was editor.

Senator TYDINGS. You don't know who did induce him to write.

Mr. BUDENZ. I do not.

Senator GREEN. Do you know whether he wrote—

Senator TYDINGS. Let me finish. I had no questions at all the other day.

Senator GREEN. All right.

Senator TYDINGS. You never met Mr. Lattimore yourself?

Mr. BUDENZ. No, sir; I did not.

Senator TYDINGS. You have never been to the office of publication?

Mr. BUDENZ. No, sir.

Senator TYDINGS. You have read all these articles yourself?
Mr. BUDENZ. Which articles?

Senator TYDINGS. The ones to which you are referring.

Mr. BUDENZ. A long time ago I glanced through them.

Senator TYDINGS. I would not say when, but you have read them all?

Mr. BUDENZ. A long time ago, yes. I wouldn't say all of them,
Senator, but—

Senator TYDINGS. A great many!

Mr. BUDENZ. That is taking in too much.

Senator TYDINGS. Were there any of the articles written by any
of the people you have denominated there that you did read?

Mr. BUDENZ. There may have been.

Senator TYDINGS. I believe I quote you with substantial accuracy
when you said that "Jack Stachel said Lattimore was helpful" and
that he advised you to "consider Lattimore as a Communist"?

Mr. BUDENZ. Yes, sir. I said that Stachel said to consider Latti-
more as a Communist in 1944, when he was with Mr. Wallace.

Senator TYDINGS. Were they, as near as you can recollect, his pre-
cise words?

Mr. BUDENZ. Yes, sir.

Senator TYDINGS. That Lattimore was "helpful" and that he said
for you to "treat Lattimore as a Communist"—

Mr. BUDENZ. Consider him—

Senator TYDINGS. "Consider Lattimore as a Communist"?

Mr. BUDENZ. Yes, sir.

Wait just a minute about that "helpful."

I don't remember that phrase specifically, Senator. I remember
Jack Stachel said that Lattimore was helpful in the time of the
Amerasia case.

Senator TYDINGS. That is what I mean.

Mr. BUDENZ. Those are two separate occasions. You see, it may
have been that he used that phraseology also in 1944, but I have no
present recollection of it. What I recollect in 1944, we were discussing
the Wallace visit to China, which was considered very important, and
that Mr. Stachel said to consider Lattimore as a Communist.

Senator TYDINGS. Yes, sir.

Mr. BUDENZ. Now, the other reference was on another occasion.
That was in 1945.

Senator TYDINGS. Now, coming back to what Stachel said to you, is
it possible, in your belief, that an individual could have had a point
of view so in line with the Communist point of view that the high com-
mand, knowing, reading his works, would assume it would be a good
thing to treat him as a Communist?

Mr. BUDENZ. No, sir; that is not correct.

Senator TYDINGS. What would be your belief?

Mr. BUDENZ. This was a regular formula used by Stachel to deal
with people who were in the Communist movement.

Senator TYDINGS. And he said for you to consider him as a Com-
munist?

Mr. BUDENZ. Yes, sir. He used that, by the way, that phraseology
on a number of occasions in regard to other people. That is, I was
compelled to know, more or less, as a matter of fact not more or less,
but definitely these people.

Senator TYDINGS. Now, you also said that Lattimore was designated as "XL," I think, or something pretty close to that?

Mr. BUDENZ. That is right.

Senator TYDINGS. As a Communist designation?

Mr. BUDENZ. That is right.

Senator TYDINGS. Did his signature appear opposite that designation?

Mr. BUDENZ. Oh no. This is onionskin instructions coming from the Politburo.

Senator TYDINGS. So, there was nothing to identify Lattimore with the "XL" on the onionskin itself?

Mr. BUDENZ. Only the instructions given us by the Politburo.

Senator TYDINGS. In what respect do you claim that Reverend Kearney's article corroborates your accusations of Mr. Lattimore?

Mr. BUDENZ. Well, in the sense, as Father Kearney says that Mr. Lattimore is the person most responsible for the disaster in Asia, and he goes on to indicate Mr. Lattimore's views.

Senator TYDINGS. So that would be what Father Kearney would say—that would accentuate rather than otherwise—it would be in line with what you say.

Now, would Father Kearney have any intimate knowledge to your knowledge, that Mr. Lattimore was a Communist, that you did not have?

Mr. BUDENZ. Oh, no, he would not have, not that I know, unless he had something. He was a missionary in the Orient, I believe. In fact, he is on his way back now. The only thing is that his analysis of Mr. Lattimore's views I thought strengthened my own declarations. That is, I did not put it forward as absolutely a mandatory thing, but confirmatory.

Senator TYDINGS. I wanted it to show on the record.

Mr. BUDENZ. Thank you.

Senator TYDINGS. You resigned from the Communist Party in 1945, I believe it was.

Mr. BUDENZ. October 1945.

Senator GREEN. Excuse me. I asked that question. He did not resign. A Communist was not allowed to resign. He was expelled.

Mr. BUDENZ. I am just using it as a general rough term—left the party.

Senator TYDINGS. Separated from the party?

Mr. BUDENZ. I didn't resign. I arranged carefully whereby I wouldn't resign. In fact, my name is on the letterhead on the date I was received in the Catholic Church of St. Patrick's. I did that so that I would not be framed. I might explain this to you, Senator.

Senator TYDINGS. That is not important.

Senator GREEN. I think it is very important.

Senator TYDINGS. You may ask it on your time.

In the approximate 5 years since 1945, did you report Owen Lattimore to the FBI as a Communist, or a Communist agent?

Mr. BUDENZ. I don't recall that I did. I may have, Senator, but I don't recall; but, I might say that, Senator, just in regard to my own actions there that I have not reported quite a few people because I cannot possibly do it.

Senator GREEN. You have not what?

Mr. BUDENZ. Reported quite a few. That is the reason I decided to make up this list of hundreds of names so that once and for all I can give the FBI all the names that I had.

Senator GREEN. Did you talk to a special agent of the State Department in September 1947, about communism?

Mr. BUDENZ. I don't recall that.

Senator GREEN. In September 1947 did you talk to any special agent—in 1947—of the State Department?

Mr. BUDENZ. I don't recall that, Senator.

Senator TYDINGS. Did you say, in that interview with this State Department agent, that you were not prepared to pass judgment upon the degree of Mr. Lattimore's association with the party, that you thought he was a sympathizer but that you were unable to recall at that time any incident which definitely indicated that he was a member of the party?

Mr. BUDENZ. Well, I do not recall that, but if I did, it was in a telephone conversation, and I am very evasive on the telephone, and with very good reason, as anyone who considers how the Communists act, can understand. I have to be very careful. In fact, even in this case I don't know whether the Senator really believes it or not, but it is a fact, when Doctor Mathews called me up on this case on the phone—

Senator TYDINGS. Who?

Mr. BUDENZ. Dr. J. B. Mathews, a well-known investigator, was in charge of the Dies investigation—

Senator McMAHON. And who was a member of the party at one time?

Mr. BUDENZ. He says he was not. He was very close to them and was placed with the responsibility of their most important Communist front, the League Against War and Fascism, and broke with them.

Senator TYDINGS. He did talk to you, then.

Mr. BUDENZ. Yes, sir.

Senator TYDINGS. What was the time, was it approximately as you recollect, about September?

Mr. BUDENZ. Oh, no; I am referring to another, to show you how careful I am on the telephone.

Senator TYDINGS. Didn't you talk also to a special agent of the State Department in 1947?

Mr. BUDENZ. Well, I cannot recollect that, but I would say that I have had several telephone calls from the State Department representatives, and I have always been very evasive because on the telephone I do not give information. I was trying to show you, Senator, that even in this case, the Senator McCarthy case, I was called by Dr. J. B. Mathews, and he said to me that he had information that I knew that Lattimore was a Communist. I simply said "Whatever I have to say about Lattimore, I will only say before the committee, under subpoena."

Senator TYDINGS. Would you therefore deny that you said in 1947, to any representative of the State Department, that you could not be called at that time, you could not recall any incident which definitely would indicate that Lattimore was a member of the Communist Party?

Mr. BUDENZ. I won't deny it.

Senator TYDINGS. You won't?

Mr. BUDENZ. I would not deny it or affirm it, because on the telephone—

Senator TYDINGS. I am not talking about on the telephone.

Mr. BUDENZ. Well, I am sure that the only time I ever talked with a representative of the State Department, except in one specific case, was on the telephone, and I did not give information on the telephone.

Senator TYDINGS. But, why would you not have said, rather than "I do not recall at this time any instance which definitely indicates that Lattimore was a member of the party," why would you not have said, if you did not want to talk on the telephone, "I do not care to discuss the matter on the telephone," or something else, other than that affirmative statement that you didn't recall any instance which definitely indicated that Lattimore was a member of the party?

Mr. BUDENZ. I just used that device, if that is the case.

Senator TYDINGS. Would that put you in a position of making a statement that might not be true, or does it not?

Mr. BUDENZ. Not necessarily, sir. Maybe I had not had Lattimore on my mind. You must understand, Senator, in regard to cases of this character, I had been very careful. That is to say, I do not make assertions unless I check very carefully on the case, and in checking up, know exactly what the facts are.

Senator TYDINGS. But, in this case you had nothing to check up on other than your conversation with Mr. Stachel, because he was the man that had previously—

Mr. BUDENZ. Oh, yes; I may have had—

Senator TYDINGS. Excuse me, because I am directing myself particularly to the testimony that Mr. Stachel and some other people, I think it was Stachel who said "You are to consider Lattimore as a member of the party!"

Mr. BUDENZ. That is correct.

Senator TYDINGS. And you were outlined about more activities there, and you were told that Lattimore was very helpful—

Mr. BUDENZ. That is correct.

Senator TYDINGS. You were also told that the movement was progressing very favorably and you knew Lattimore was head of the magazine.

Well, now, if you had all that information in your mind, why would you say, in September 1947, that you did not recall at that time any incident which definitely indicated that Lattimore was a member of the party?

Mr. BUDENZ. I don't recall that statement, but if I made it, under the circumstances, I made it on the telephone, and therefore was not prepared, unless by very careful examination, which I always give, to make statements that are definite.

Senator TYDINGS. But, there is no record necessary for you to fix your—no record you could look up by research, you might say, in the case I have in mind, if Stachel told you that orally—why would you not have said, knowing this, knowing about Lattimore and knowing about the writers and knowing that Stachel had told you to consider Lattimore as a Communist, why would not you have said "I would like to talk about it with you, but privately," or "I don't care to discuss it,"

other than to make the affirmative statement that "I recall of no instance now that would indicate that he, Lattimore, was a member of the party"?

Mr. BUDENZ. Well, in the first place, I have only given information fully to the Federal Bureau of Investigation. That has been my rule. Secondly, I do not know people who promiscuously call me on the telephone and I have to be very careful.

Senator TYDINGS. I appreciate that, but what I am trying to get at, Mr. Budenz, and I don't want to prolong it—

Mr. BUDENZ. I understand.

Senator TYDINGS. I do not blame you for saying over the telephone, "I don't care to discuss it," or I don't blame you for saying on the telephone that, "This is something I might want to talk to you privately about"; but, instead of picking one of the things that would have protected the position you rightly wanted to protect, did you not say at that time, "I am unable to recall at this time any incident which definitely would indicate that Lattimore was a member of the party"? And to convey the impression to your own Government, after you left the Communist Party, that you had nothing in mind that would show Lattimore was a member of the Communist Party?

Mr. BUDENZ. I did not have the time or energy to check carefully on the facts I had before me. I always do that, and I have made that reply, incidentally, more than once, along similar lines.

Senator GREEN. I have put off my engagement for a half an hour—

Senator TYDINGS. Is it your idea, Mr. Budenz—

Senator GREEN. I will take my turn.

Senator TYDINGS. Is it the idea that Mr. Budenz will come back tonight in open hearing, was that the proposition that was submitted here?

Senator McMAHON. He has not added anything new.

Mr. BUDENZ. If I might say, I don't know what Senator Green has in mind. I personally have nothing to add to my open hearing. I have said my say. That is the only thing I have.

Senator GREEN. I haven't had the list. I want to ask—

Senator TYDINGS. Well, we will try to come back this afternoon, if it will suit the committee.

I am trying to accommodate everyone.

Senator McMAHON. I have a lot of questions I want to ask Mr. Budenz, that might be interesting to Mr. Budenz.

Senator TYDINGS. I suggest we meet at 8 o'clock this afternoon.

Senator LODGE. Let us get back, as soon as we get some lunch.

Senator TYDINGS. Let me pursue this one thing for five more minutes, and I will let you go.

You testified, I believe, I asked for all the places that you had testified, Mr. Budenz, just simply to get chronological count, and I am going to read them and if you find any error in them, stop me.

On April 31, 1946, you testified in closed hearing, before the House Un-American Activities Committee.

On November 23, 1946, you testified before the House Un-American Activities Committee regarding the part every Communist in the United States has as a fifth columnist.

On March 14, 1947, you testified before the House Labor Committee, on two union officials, and so forth.

On June 16, 1940, you testified again, you were a Government witness in some deportation proceedings in New York, and I—I won't take the time to read the list, but as you have said yourself, you have been called many, many times to testify, before a great many groups and bodies of public figures, from which this is taken, and this list comes on down to June 10, 1940, I think that was the last before this hearing opened up, and did you at any time say that Lattimore was one of those who was a member of the Communist Party, or any Communist cell, or anything?

Mr. BUDENZ. No, sir; because there was no occasion to do so. I could analyze each one of the hearings and explain that. Indeed, I have always confined myself to the immediate matter at issue. For example, in one of those hearings, to give an illustration, I was asked about Harry Bridges. I knew about Harry Bridges, but I said to Representative Thomas "Since the Government of the United States, through a special commission, has exonerated Mr. Bridges, for the time being, who am I to damn him as being a Communist?"

And why was that? Because I would have been off again on a new investigation, a new hearing, and new difficulties. The thing is that there were just so many hearings that I could go to. You can see—

Senator TYDINGOS. I am not critical.

Mr. BUDENZ. Am I answering?

Senator TYDINGOS. I am asking the questions for the record, because somebody will say "Why didn't you ask that?"

Mr. BUDENZ. Senator, I am not feeling at all that you are critical. I just want to make it as explanatory as possible, that I always confine myself to the matters at issue.

Senator TYDINGOS. Well, the committee has been pretty patient.

You will remember that when Senator McCarthy appeared before us this morning, I promised that when the committee was all here, I would lay his request before you again that he be allowed to interrogate the witnesses.

Senator GREEN. Is that all you have to say?

Senator TYDINGOS. But, I want a vote on it because I promised him I would give him a vote on it, and the reason before, that we haven't done it, you will remember, was because the witnesses who were accused had no right or chance to cross examine the man who was accusing him, and we thought inasmuch as that right was absent—

Senator McMAHON. I thought we had settled this.

Senator TYDINGOS. I know we have, but it was brought up again, so if there is any change—

Senator McMAHON. Let him have his story.

Senator TYDINGOS. All right, we will come back again at 3 o'clock, recess until 3 o'clock.

(Whereupon, at 1:30 p. m., the subcommittee stood in recess until 3 p. m., that same day.)

AFTERNOON SESSION

Senator TYDINGOS. I have some things here.

Mr. Budenz says this: He has pretty well outlined what he wanted the committee to know—am I correct in that, Mr. Budenz?

Mr. BUDENZ. That is correct.

Senator TYDINGS. And, I have a lot of incidental things to ask him, but in my opinion most of them flow from his testimony, anyhow, and I have had my chance; so rather than delay the witness, who has asked me, he is pretty well pressed, and has been right generous with his time, and wants to get away, I am for a moment going to ask you to ask him the questions you want to ask him.

Senator GREEN. Before he goes on, did he or did he not put in this list?

Senator TYDINGS. Well he did not put it in, and I am not going to ask him to put it in, or to withhold it. It is up to him to do what he wants to do.

Senator McMAHON. I think we ought to have a quorum of the committee present.

Senator GREEN. I would like to know whether it is or is not in.

Mr. BUDENZ. There is a little bit of a problem here. Some of the names I am perfectly willing to give; others, I feel hesitant about.

Senator TYDINGS. Senator McMahon, have you some questions you want to ask the witness?

Senator McMAHON. I have a few.

Did you want to say something?

Mr. BUDENZ. I was going to say something, Senator.

I have turned this list over to the FBI, and unless it would seem unfair on my part, I would just like to indicate two or three names.

Senator GREEN. I think if you indicate any, you ought to indicate them all, ought you not?

Senator TYDINGS. I think we should let the witness use his own judgment.

Mr. BUDENZ. I feel, in one or two instances, I should let it rest with the FBI.

Senator HICKENLOOPER. Has our counsel seen it?

Mr. MORGAN. Yes.

Senator HICKENLOOPER. Our counsel has seen it—

Mr. BUDENZ. That is right.

Senator HICKENLOOPER. As far as I am concerned, if the witness wants to say only two or three, I am satisfied.

I do not want to oppose Senator Green, but if the information is in the hands of our counsel, and he only wants to give two or three names—

Senator GREEN. Let me ask: This is made up of a list of persons whose articles have been published in the Institute of Pacific Relations magazine?

Mr. BUDENZ. That is right.

Senator GREEN. During the time Mr. Lattimore was editor?

Mr. BUDENZ. Yes, sir.

Senator GREEN. Well, now, have you taken pains to find out whether they published articles by these same authors before or after that period?

Mr. BUDENZ. Some were published after; yes, Senator.

Senator GREEN. Any published before?

Mr. BUDENZ. The number of these begin very strongly around June 1930, in the midst of Mr. Lattimore's editorship.

Senator GREEN. That isn't the answer to my question.

Mr. BUDENZ. I beg pardon.

Senator GREEN. Can you tell us whether there were any articles by those same authors printed before he became editor?

Mr. BUDENZ. Not to my knowledge.

Senator GREEN. Well, do you know?

Mr. BUDENZ. No; I don't know exactly; but I do know that the number increased terrifically after June 1936.

Senator GREEN. How do you know the number increased terrifically, if you do not know whether they published any before or not?

Mr. BUDENZ. Well, I would just have to say that my observations have been confined to Mr. Lattimore's editorship, and immediately thereafter.

Senator GREEN. Then, for all you know, they may have been publishing them before, at the same rate they did afterward?

Mr. BUDENZ. This only introduces corroborative things that I learned; I am not trying to have it stand on its own feet.

Senator GREEN. It is not corroborative, if they contributed freely, as freely before as after he became editor.

Mr. BUDENZ. All I am submitting them for is for this committee to investigate further and learn that. I did not have the opportunity.

Senator GREEN. That may be, but I thought likely you would know about it.

Mr. BUDENZ. I do not know; no.

Senator TYDINGS. All right, Senator McMahon.

Senator McMAHON. Back on this list—in this list that you have before you you state that you have given it to the Federal Bureau of Investigation?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Does it contain either past or present employees of the State Department, to your knowledge?

Mr. BUDENZ. Well, that is where I am somewhat handicapped. I am not fully informed of just who are in the Government, except from the names I got occasionally, you understand, from reports.

I should say that very few are. However, I mean I know a number of these people as Communists, directly, and know who they are. I should say that very few are employees of the Government.

Senator McMAHON. Have they ever been employees?

Mr. BUDENZ. Well, that I would not be able to tell you.

I should say the majority of them—yes, there is—Gen. Evan S. Carlson, formerly employed by the United States Government, was a Communist before he was a general.

Senator TYDINGS. Employed where, sir?

Senator McMAHON. Carlson's Raiders.

Mr. BUDENZ. Gen. Evan S. Carlson, of the Marines.

Senator TYDINGS. Was employed where?

Mr. BUDENZ. He was an employee of the United States, but he is dead now.

He asked if any one of them was ever employed by the Government.

Senator TYDINGS. I have got a bad cold in my left ear, and didn't hear you.

Mr. BUDENZ. I know he was a general. Therefore, he was a part of the governmental machinery.

Senator McMAHON. On Carlson, you know he was a Communist. Do you know him in the same sense that you know Lattimore was a Communist?

Mr. BUDENZ. No, sir. I was introduced to General Carlson.

Senator McMAHON. Before he was a general?

Mr. BUDENZ. That is right.

Senator McMAHON. While he was in the Marine Corps?

Mr. BUDENZ. No, sir. I think he was retired at the time, for that period.

Senator McMAHON. Before he came back into the service, at the outbreak of the war?

Mr. BUDENZ. That is right.

Senator McMAHON. Was he introduced to you as a Communist?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. And he accepted the introduction?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Where was that, Mr. Budenz?

Mr. BUDENZ. This was in New York.

Senator McMAHON. Who introduced you?

Mr. BUDENZ. This was at a meeting at Frederick Vanderbilt Field's house.

Senator McMAHON. Could you fix the year? I know it is impossible to fix maybe even the month, but perhaps you could fix the year?

Mr. BUDENZ. I could not, offhand; but, I could after some little thought on the matter. I do not think I could here today. I know that he was not known as a general then. It was at that time—

Senator McMAHON. He was a colonel for sometime.

Mr. BUDENZ. Colonel Carlson, he was retired at the time. As a matter of fact, his life, gentlemen, is written up by a Communist under order of the Communist Party, by Michael Blankford. Michael Blankford was a former writer on the Daily Worker.

Senator McMAHON. Was he an active man under the Communists?

Mr. BUDENZ. General Carlson was as active, I understand, as he could be. I don't know very much about his activity, to tell you the truth, Senator, except that I know we discussed him quite extensively again, just before I left the party, when he was made head of the campaign committee on China, by the Communists, that later got a name like—I forgot the name, but it is a matter of public record that he was head of that committee.

Senator McMAHON. When he was introduced in Frederick Vanderbilt Field's house, was there anybody in it, in the company, who was not a Communist?

Mr. BUDENZ. No, sir.

Senator McMAHON. All were party members?

Mr. BUDENZ. So far as I know.

Senator McMAHON. How many would you think were there? Again, I know you can't say 12 or 13.

Mr. BUDENZ. There was a small group—as a matter of fact, there was Marion Bachrach—I remember it was a small group. He was passing through New York, or something like that.

Senator TYDINGS. Marion Bachrach is a man?

Senator McMAHON. No; a woman.

Mr. BUDENZ. A woman, and sister of John Abt—and four or five other people.

Senator McMAHON. What other names have you—

Mr. BUDENZ. You must understand, Mr. Field's home is right across from the Daily Worker, cetercornered.

Senator McMAHON. Very convenient.

Mr. BUDENZ. Yes, sir; there was some very great soirees there, for many people. I have been to many more elaborate parties than that.

Senator McMAHON. Does he serve good refreshments, and that sort of thing?

Mr. BUDENZ. During the war, he served refreshments which were in violation of the war rules. That was one thing I noted in the beginning to be critical. That was toward the end, when he had a reception for—well, I don't know whether I need to go into that on this inquiry, but for Representative Adam Clay Powell. Paul Robeson was master of ceremonies.

Senator McMAHON. Do you have any other names on the list?

I don't see, Mr. Chairman, why we should not have this list in evidence.

Senator TYDINGS. It is up to Mr. Budenz.

Senator McMAHON. I will tell you—he has given it to the FBI-----

Mr. BUDENZ. Oh yes.

Senator McMAHON. You have given it to the FBI because you believe these people are members of the Communist Party?

Mr. BUDENZ. That is right.

Senator McMAHON. Now, here is this witness before us, he cannot tell us whether the people on this list are or have been members of the State Department—am I correct?

Mr. BUDENZ. I am perfectly glad to do it. The only thing is, gentlemen, what I am trying to do is not to have this thing brought before—I don't mean the Senators will, I want to give the list in such a fashion—

Senator TYDINGS. Would it be a satisfactory procedure for the committee—I suggest that the stenographer not take down the names which you read, and then I suggest that the list of names be sealed in the committee report, and not to be opened except upon vote of the committee. In that way we can do it and we won't have any doubt of revealing the FBI information.

Is that satisfactory?

Senator McMAHON. It is with me.

Senator TYDINGS. How about you, Senator?

Senator HICKENLOOPER. All right; that is, with the reservation, if we later think we need it in the record, we can put them in.

Senator Lodge. I have no objection.

Mr. MORGAN. All right.

Senator TYDINGS. When you get the names, don't put them in the record—is that all right, Senator Green?

Senator GREEN. All right.

Senator TYDINGS. Before the reading of this list, Mr. Budenz, I presume you made up this list out of all the hundreds and hundreds of Communists you know. You made this list in particular to bring it with you today, because you thought it had some relation to our inquiry?

Mr. BUDENZ. This was the list I took from looking through the back number of Pacific Affairs.

Senator TYDINGS. I see.

Mr. BUDENZ. I did not get this just to bring here.

Senator McMAHON. Let us follow that up.

Mr. BUDENZ. That was about all I could do between the time I was here before, look through the list of Pacific Affairs.

Senator GREEN. One other question about its nature that I would like to ask you: How did you pick out these names from the contributors to the magazine?

Mr. BUDENZ. These are the men and women who wrote the articles for the magazine while Mr. Lattimore was editor.

Senator GREEN. Not all of the articles?

Mr. BUDENZ. Not by any means.

Senator GREEN. How did you select these afterward, on what basis?

Mr. BUDENZ. That I knew them to be Communists. There may be others, and there may not.

Senator GREEN. All along a certain line, are they, these articles?

Mr. BUDENZ. I have not reviewed them again, Senator. I just know the affiliations of these people.

Senator GREEN. What was the nature of the articles they wrote?

Mr. BUDENZ. As a matter of fact, a slight pursuit will show, in most cases, that I am correct. It doesn't take much to discover that several of these people are Communist.

Senator GREEN. What was the nature of these articles on China—on what?

Mr. BUDENZ. Not necessarily. On the Pacific in general, the Philippines, China, the Moscow trials, other things.

Senator GREEN. The general subject of the magazine?

Mr. BUDENZ. That is right. As a matter of fact, they even entertained a critical article from William Henry Chamberlain, criticizing their article on the Moscow trials.

Senator GREEN. They are not necessarily Communist articles?

Mr. BUDENZ. Not necessarily. You see, Communists do not always write Communist articles. They write their articles in line with the line Kremlin is trying to put forward at that time.

Senator TYDINGS. Did you read the articles yourself?

Mr. BUDENZ. Not recently.

Senator TYDINGS. At sometime, you were familiar with the articles that each of these persons wrote?

Mr. BUDENZ. I would say very vaguely familiar.

Senator TYDINGS. In other words, you know they wrote for the magazine, and you are tendering those names—

Mr. BUDENZ. No; I know their affiliations.

Senator TYDINGS. You say they are Communists, but as far as the articles themselves are concerned, recently you have not familiarized yourself, and your recollection is vague as to what they did and did not contain, is that correct?

Mr. BUDENZ. That is correct. That would have to receive further consideration.

Senator TYDINGS. All right.

Senator McMAHON. When you read the names, would you just say after it "I know him personally," or "I do not know him"?

Mr. BUDENZ. That is correct, I shall.

Senator TYDINGS. Put "1" for the first name; "2" for the second name, and so forth, so we will know, if we want to correlate them, how we can key it to the testimony.

Go ahead, sir.

Mr. BUDENZ. One—

Senator GREEN. Say the first name, and the figure 1, and the stenographer will use the "1."

Mr. BUDENZ. 1. (Name omitted.) She is, to my official knowledge, a Communist; but, I have not met her as such.

2. (Name omitted.) He is to my personal knowledge a Communist. I met him on one occasion myself.

Senator HICKENLOOPER. He was at one time—off the record.

(There was discussion off the record.)

Mr. BUDENZ. Three—

Senator TYDINGS. Let me suggest to the committee a reconsideration of what I have just said. I think it would be better if we put the names in the record, and then carefully safeguard the record and the part we make public can be deleted, because when you say so and so was the widow of so and so, you lose the whole thread there, unless you have all the names in.

If that is agreeable to the committee, I suggest you read the names into the record, with such designation as you want to make, and we can delete it afterward, rather than wonder afterward what or who you said.

Senator Lodge. I understood in light of the vote we took before lunch, that this whole record is going to be secret, is it not?

Senator TYDINGS. I want to make that extrasecret because the FBI is working on it.

Senator McMAHON. It is secret, or is it not. When we started in here, this was agreed to be a closed meeting.

Senator TYDINGS. Suppose you start out and reiterate those on the record.

Start at the beginning.

Mr. BUDENZ. Well, first will be Ella Winter, widow of Lincoln Steffens, who was known to me to be a Communist from official reports received.

Senator McMAHON. You never met her?

Mr. BUDENZ. I never met her.

No. 2, Joseph Barnes, known to me personally to be a Communist.

Senator McMAHON. You met him, and met him as as a Communist.

Mr. BUDENZ. At least on one occasion.

No. 3, General Victor Yakhontoff—

Mr. MORGAN. Can you identify them further? A name such as Joseph Barnes, is such a common name.

Mr. BUDENZ. Joseph Barnes is the former foreign editor of the New York Herald Tribune, and one of our most distinguished foreign correspondents, considered so at one time. Then, he became editor of PM, as you recall.

General Victor Yakhontoff, I know him only from official reports.

Harriett Lucy Moore, I know her personally to be a member.

Senator McMAHON. Harriett—

Mr. BUDENZ. Harriett Lucy Moore, a very active person in the Institute of Pacific Relations.

Senator McMAHON. You met her as a Communist?

Mr. BUDENZ. Yes, sir.

Gunther Stein, I know him from official reports to be a Communist, and in a very confidential capacity.

Senator McMAHON. Have you ever met him?

Mr. BUDENZ. No, sir.

Senator McMAHON. I know him only from official reports, to be a member of the Communist Party.

Senator McMAHON. Haldore Hanson?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. That rather surprises me, Mr. Budenz, because he appeared before the committee, and made about as forthright a statement as I ever heard from a witness. He was never a member of any Communist-front organization of any kind or character, as far as could be made out from his background, from his activities--there wasn't a single indication. I only say this to you by way of information. This is a public hearing, and you may have seen the testimony. I wanted to say to you that the impression he made on me was excellent--fooled me completely.

Senator HICKENLOOPER. He is not in the State Department?

Senator McMAHON. He is in the State Department at this minute, working on the point 4 program, and I would like, therefore, to have you pretty carefully give us your testimony on him.

Mr. BUDENZ. Well, I shall have to submit that to you further. That is to say, I shall have to consider it further because I just know this now as a general matter from official information received.

Senator LODGE. Official information?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Somebody told you that he was?

Mr. BUDENZ. Not gossip around headquarters; official information. I carried his name with me.

Senator McMAHON. Who gave it to you?

Mr. BUDENZ. Well, as I recall at the moment, Jack Stachel.

Senator McMAHON. Jack Stachel?

Mr. BUDENZ. However, I shall be glad to advise you more definitely, Senator.

Senator McMAHON. I wish you would, because he certainly seemed like a very decent young man who had a very honorable career in the service of the Associated Press, and our own country; and, I know you would not want to do him an injustice.

Mr. BUDENZ. I think I have been as responsible for acquitting people of being Communists in the loyalty tests, I think more people, than convicting them, and I have no disposition to do otherwise.

Senator McMAHON. At this time, Mr. Budenz, as far as Hanson is concerned, you can give us no definite information as to who informed you that he was?

Mr. BUDENZ. My strong impression is that it was Jack Stachel.

Senator McMAHON. You say that you are going to think about it further. Does that mean you have recourse to a diary or notes?

Mr. BUDENZ. No; I have recourse to one very excellent source of information.

Senator McMAHON. Recourse—I mean.

Mr. BUDENZ. That is, the files of the Daily Worker. Now, sometimes they fail me, but in this way I have been able to recall many events from other events. For example, I don't know whether I need to take your time—

Senator McMAHON. I understand the process.

Mr. BUDENZ. I have lived in the Daily Worker, it was my life. I made every issue. Now, I shall be glad to give the committee such

evidence as I have on this matter. Indeed, I ask always, on these matters, that confirmatory information be obtained.

Senator McMAHON. I take it, that as far as he is concerned—don't misunderstand me, if he is, we want to know about it—I want to know about it. Contrary to any public assertions that might be made by other people, I have no desire to shield anybody in the State Department.

Senator TYDINGS. May I interrupt to ask one question?

Senator McMAHON. All right, surely.

Senator TYDINGS. I wanted to ask you: Your information as of today, rather, your information that this man is a Communist is based on oral words, oral evidence that you received from somebody else?

Mr. BUDENZ. That is correct.

Senator McMAHON. Mr. Budenz, do you recollect ever having discussed Hanson with the Federal Bureau of Investigation?

Mr. BUDENZ. No; I did not, except quite recently.

Senator McMAHON. How recently, would you know?

Mr. BUDENZ. Well, I should say, I am not sure whether I did before, as a matter of fact, I discussed, even though it seems as though I have not discussed names with the Federal Bureau, I have discussed many names, but I do not think I discussed Mr. Hanson with them until very recently, I should say, in making up this list.

Senator McMAHON. Now, in discussing it with the FBI, you say "very recently."

When was that?

Mr. BUDENZ. Oh, the last week.

Senator McMAHON. And you gave them the name of Hanson this past week?

Mr. BUDENZ. Yes, sir, I gave them—

Senator McMAHON. Did they ask, by the way, who in the FBI did you give it to?

Mr. BUDENZ. I gave them to the agent, McCarty, who works with—

Senator McMAHON. McCarthy?

Mr. BUDENZ. He doesn't work with me, I mean to say he contacted me more than anybody else.

Senator McMAHON. Is he assigned to the New York office?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. I see; and, when you gave him this list, did he go down the list with you?

Mr. BUDENZ. Well, yes, sir; we went down the list together.

Senator McMAHON. You told him everything you know about each one?

Mr. BUDENZ. That is right. Well, I don't know now, you must understand, Senator, sometimes I have to meet the FBI in a terrific hurry. We meet at all times, and in a terrific hurry. I might not have gone into each one in detail.

Senator McMAHON. This is rather fresh in your recollection; it is just a week ago.

Mr. BUDENZ. I don't think I went into Mr. Hanson in any detail.

Senator McMAHON. Did you go into any detail about any one of the rest of them?

Mr. BUDENZ. No; because I will tell you—most of the names, with one or two exceptions, I had given the FBI before; not most, but some

of them. We didn't have an opportunity, see, the time was limited, to go into all the details.

Senator McMAHON. How long did you spend with him?

Mr. BUDENZ. I only spent about—you mean, on this matter?

Senator McMAHON. On this list.

Mr. BUDENZ. Oh, I would say about a half an hour, maybe, at the most.

Senator McMAHON. Of the list of 21, you say you gave most to the FBI before?

Mr. BUDENZ. Well, some of them now, for example, I'm not sure whether I gave Ella Winter, because they know her anyway—that is, her association with the Communist Party.

Senator McMAHON. She would not take any discussion time at all!

Mr. BUDENZ. No; we didn't discuss this list.

Mr. MORGAN. If I may say, Senator, I recognize quite a few of them myself.

Senator McMAHON. I understand, so that there would be no occasion for discussing that, either on the ground they were notorious, No. 1; or, No. 2, Mr. Budenz would say "Now, you know so and so, I have talked either to you or agent Brown or Smith about it before."

Now, that leaves three or four, namely, Hanson, and who else the other three were, and in the half hour that they were together, I wonder how much discussion there was about Hanson.

Mr. BUDENZ. The half hour was not spent in that; it was also spent in this list of 200 names which I have been compiling. We were not long on this.

Senator McMAHON. Did you discuss the 200 names?

Mr. BUDENZ. Well, we discussed compiling the 200 names. As a matter of fact, what we have done, we have been discussing these 200 names some time. First of all, I am trying to get up this list of names, and then I am going to go over it very carefully, and write in how I happened to know, that is—well, I won't give an example—but the thing is I am trying to give the FBI once and for all how I know, and who I know, and where I got the information.

Senator McMAHON. That is a very commendable thing. I hope you go through with it.

When you went down this list, was there any member on there, any name on there that you did discuss with McCarthy?

Mr. BUDENZ. I don't think so; at the moment I was just giving him the list.

Senator McMAHON. Gave him the list?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Gave him a copy of the list?

Mr. BUDENZ. That is right.

Senator McMAHON. Did he comment on the list at all?

Mr. BUDENZ. No.

Senator McMAHON. He did not?

Mr. BUDENZ. No, sir; not to my remembrance.

Senator McMAHON. That is the first time to your best recollection that Hanson's name ever passed your lips, as a member of the Communist Party, known to you by reason of being told so?

Mr. BUDENZ. Yes, sir; that is the first I recall. It may be that I didn't answer before.

Senator McMAHON. You cannot now recall who told you he was, but you think it may have been Stachel?

Mr. BUDENZ. That is right.

Senator McMAHON. All right, who is No. 7?

Mr. MORGAN. May I ask a question?

Senator McMAHON. Yes.

Mr. MORGAN. Mr. Budenz, I realize you will have to refresh your recollection some, but could you tell us generally, during the 10-year period of your association with the party, about what time during that association, or in that association did you know Mr. Hanson as a Communist? Was it '34 to '40, or '40 to '45, or any other narrower limits that you could indicate?

Mr. BUDENZ. It was after I came back to New York.

Senator McMAHON. When was that?

Mr. BUDENZ. That was in '40 or '41.

Senator McMAHON. 1940 on?

Mr. BUDENZ. Yes, sir. I can probably get that.

Senator McMAHON. No. 7, Mr. Budenz.

Mr. BUDENZ. No. 7 is Frederick Vanderbilt Field.

Senator McMAHON. We don't need time on him.

Mr. BUDENZ. The next is Lawrence K. Rossinger, who writes a number of articles for the New York Times, Lawrence K.

Senator McMAHON. Is he on your staff?

Mr. BUDENZ. Well, that I don't know. He writes or he reviews books for them especially on the Far East.

Senator McMAHON. Do you know him personally?

Mr. BUDENZ. No, sir; I do not.

Senator McMAHON. No. 9.

Mr. BUDENZ. Edgar Snow.

Senator McMAHON. He is also a writer?

Mr. BUDENZ. That is right, now with the Saturday Evening Post.

Senator McMAHON. Is he another one of these fellows, Mr. Budenz, whom you know personally?

Mr. BUDENZ. No; I do not.

Senator McMAHON. By reference?

Mr. BUDENZ. I know a great deal about him because he got in trouble with the party, wrote something wrong, and he had to amend his book on orders of the party.

Senator McMAHON. After it was in print?

Mr. BUDENZ. Yes, sir. Well, that is my recollection.

Now, I may be wrong. My recollection is—

Senator McMAHON. Do you remember the title of that book?

Mr. BUDENZ. I can get it very readily. It is—I wouldn't want to be—

Senator McMAHON. He is a native of Connecticut; is he not?

Mr. BUDENZ. He may be.

Senator McMAHON. I think he comes from up around—

Mr. BUDENZ. He has had many difficulties with the party, and always straightened himself out. He may not be now. That is one reason I didn't want to mention his name.

I'll tell you why. One great one was his wife, Nym Wales, Mrs. Peggy Snow, from whom he is now divorced, and that may change the picture. Therefore, I want you to understand, gentlemen, even with this list, I am not intimating these people are Communists now.

Senator McMAHON. We understand, at least I do.

Senator GREEN. On the other hand, some of them are Communists. You say they were Communists, all of them?

Mr. BUDENZ. Yes, sir.

Senator GREEN. Or have become Communists since?

Mr. BUDENZ. I don't know what they have become since.

Senator GREEN. But they were Communists then.

Mr. BUDENZ. James S. Allen.

Senator McMAHON. Before you get to Allen—you said you were going to mention Mrs. Peggy Snow.

No. 10 is who?

Mr. BUDENZ. James S. Allen.

Senator McMAHON. James S. Allen?

Mr. BUDENZ. Yes he is a man I mentioned several times.

Senator McMAHON. As far as you know, he has never been in the Government service or in the State Department?

Mr. BUDENZ. Oh no; never.

Senator McMAHON. I take it that none of these people have, with the exception of Hanson.

Mr. BUDENZ. No.

Mary V. Kleeck, with the Russell Sage Foundation.

Senator McMAHON. What?

Mr. BUDENZ. K-l-e-e-c-k.

Senator McMAHON. By reputation?

Mr. BUDENZ. Known to me personally, from many meetings. I won't say meetings—

Senator McMAHON. Seen her in meetings?

Mr. BUDENZ. I know her pretty well.

Senator McMAHON. You have conspired with her?

Mr. BUDENZ. That is right. She was a Communist before I was, even.

Nym Walos, N-y-m W-a-l-e-s. I only know by reputation that she is a Communist, and I also only know by reputation that this is the pen name of Mrs. Peggy Snow—I mean, by reputation. I mean, by that, by report.

Senator GREEN. When you say "report," you mean official reports, or general reports?

Mr. BUDENZ. Official reports; yes, sir.

Senator McMAHON. Would you say that Stachel told you about that name?

Mr. BUDENZ. I would say—

Senator GREEN. Was that an oral report?

Mr. BUDENZ. Oral, always. Communists have nothing but oral reports, except that time when the Politburo used it to get out the recommendations on it, until the Hitler-Stalin break.

Evan Carlson.

Senator McMAHON. He is 13?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. He was introduced to you at Frederick Vanderbilt Field's house, as a party member, and at that party there was nobody else there but party members; is that right?

Mr. BUDENZ. That is correct, but also, Senator, in addition, I have had official reports on General Carlson for many years.

The next man is T. A. Bisson, of the Institute of Pacific Relations.

Senator McMAHON. T. A.?

Mr. BUDENZ. B-i-s-s-o-n, known to me by official—

Senator McMAHON. Bisson?

Mr. BUDENZ. Bisson.

Known to me by official reports to be a Communist.

Senator McMAHON. Do you know him personally?

Mr. BUDENZ. I did not. I don't think I know him personally. I may have met him.

The reason I have to put that in sometimes is—I shall explain that we had national-committee meetings, large national-committee meetings, where about 500 people met under assumed names, a great many of them. I have met a number of people I later recognized. I don't want to say always I have not met them.

Senator McMAHON. Did they use assumed names between themselves?

Mr. BUDENZ. They do; yes, sir.

You see, where you have 500 people together, then the danger of it coming out in an innocuous way is strong.

Senator McMAHON. Who is XV?

Mr. BUDENZ. Anna Louise Strong.

Senator McMAHON. That is a familiar name to me.

Mr. BUDENZ. Oh, well, she is now expelled from the Soviet Union. I don't know the reason. She is well known to me as a Communist, for many years.

Senator McMAHON. Thrown out of the party; is she?

Mr. BUDENZ. That, I don't know. There is a sort of twilight zone there.

Senator McMAHON. Has she not had some publicity?

Mr. BUDENZ. She was expelled from the Soviet Union as a spy.

Senator McMAHON. What did you think of that?

Mr. BUDENZ. I don't think she was a spy, but I think she made some mistakes. You see, she disagreed with the Soviet leadership.

Senator McMAHON. Why didn't they kill her instead of expelling her?

Mr. BUDENZ. Because she is an American citizen. They have killed but that would be too open there to do that. As a matter of fact, she comes right back and has written pro-Soviet books.

Senator McMAHON. She has?

Mr. BUDENZ. Yes.

Senator McMAHON. Even though they tossed her out?

Mr. BUDENZ. Even though they tossed her out; yes. She is a peculiar person. I have known her; she is the daughter of the Reverend Sidney Strong, in Seattle. They used to put her on the spot in Soviet Russia, and she would weep tears and go right out and repeat Stalin's lies. What can you do with a person like that? She would break down and take recourse in tears. How can you argue with a person like that? This probably should not all be on the record, but I thought I would give you an example.

Senator McMAHON. When were incidents like this?

Mr. BUDENZ. That was before I joined the party. It was before 1935, when she was already a Communist.

Senator McMAHON. That is interesting.

Now, No. 16.

Mr. BUDENZ. Andrew Steiger.

Senator McMAHON. Do you know him personally?

Mr. BUDENZ. No; he is not known to me personally.

Senator McMAHON. Just by reputation?

Mr. BUDENZ. I think I can bring in a number of the Marxist writings, but I am not sure of that. I think you will also find he was also ghost writer for Henry Wallace. You will have to put a question by that, because that isn't any official information; that is something I heard through headquarters, and believe it is correct.

Senator McMAHON. By the way, he was never in Government service, as far as you know?

Mr. BUDENZ. No.

Senator McMAHON. 17?

Mr. BUDENZ. I don't know; that is all I have.

Senator McMAHON. That is all you have?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. I thought you said you had 21?

Mr. BUDENZ. I thought I had 21, but I have 17. I may have a few more, but—

Senator LODGE. Will you yield, Senator McMahon?

Senator McMAHON. Yes.

Senator LODGE. How do you identify these people not in Government service—a miscellaneous list?

Mr. BUDENZ. No; this was the list of those I said wrote for the Pacific Affairs when Lattimore was editor. Mr. Allen, for example, wrote about four or five times.

Senator McMAHON. The theory is Mr. Lattimore brought this cattle in.

Senator TYDINGS. They are all writers.

Senator LODGE. You referred to this list this morning.

Mr. BUDENZ. Yes, sir.

Senator McMAHON. You made a pretty careful research, in your own mind, since we have been talking about this thing, this matter of the Pacific Institute; is that it, this Institute of Pacific Relations?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Did the best you could?

Mr. BUDENZ. I haven't had much time, but I have known it over the years.

Senator McMAHON. At least, prominent persons you have had occasion to look over, in the light of your testimony to us the other day, who were connected with it?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Philip Jessup was a member of the board of trustees?

Mr. BUDENZ. Well, Dr. Jessup was working very close, on very close and friendly terms, with Frederick Vanderbilt Field, and his name came into Mr. Field's report.

Senator McMAHON. As a member of the party?

Mr. BUDENZ. No, sir; not to my knowledge. I never heard him mentioned as a member of the party; I only heard him mentioned. I think I recall, above all, is a mention of the time that Mr. Field put up to the Politburo—I can't give you the exact date at the moment, but the event is very clear in my mind—he put it up to the Politburo

whether he should stay in the Institute of Pacific Relations or join the American Peace Mobilization, to attack President Roosevelt.

Senator TYDINGS. You mean Field put it up—

Senator HICKENLOOPER. As to who should stay?

Mr. BUDENZ. Field.

Senator HICKENLOOPER. Whether Field should stay?

Mr. BUDENZ. Remember, Field was called out of the Institute of Pacific Relations to become head of the American Peace Mobilization, which picketed the White House and attacked President Roosevelt very violently during the Hitler-Stalin Pact. They had to take Field out, because they had to find some new personality. Dr. Ward had been head of the American League for Peace and Democracy, and that thing had been just the other way around. They had a shift, so they had to get a person who could attend to it, and they decided that Frederick Vanderbilt Field would be the person. And, of course, we know what they did, picketed the White House and attacked President Roosevelt rather violently, I should say.

However, of course, when Mr. Field became director of the American Peace Mobilization, it was not known that he was going to play that role to the extent that he did. I daresay, however, Mr. Field did declare at the time—and I don't know whether this ought to be on the record or not.

Senator McMAHON. This is an executive record.

Mr. BUDENZ. All right. The thing is that, well, I am saying this in justice to Dr. Jessup. I do not know him as a Communist. I repeat, Mr. Field reported that Dr. Jessup felt that he could serve better in the Institute of Pacific Relations.

Now, you must understand, I do not know whether Dr. Jessup knew fully what Mr. Field intended to do. I know that is what was given in, and the Political Bureau decided nevertheless that Mr. Field should become head of the American Peace Mobilization, which he did.

Mr. MORGAN. You used the word "better" there, which confuses me a little. Dr. Jessup could serve the Institute of Pacific Relations "better" than what?

Senator TYDINGS. Than Field could?

Mr. BUDENZ. No, no; that Field could perform a better service.

Well, I don't want to quarrel or quibble about words.

Senator TYDINGS. It was Field he was talking about, rather than Jessup?

Mr. BUDENZ. Dr. Jessup did not want Field to leave, in other words.

Now, I have no information that Dr. Jessup based that on any connection closer than their previously working together.

Senator McMAHON. I am pleased to hear you say you don't know him as a Communist.

Mr. BUDENZ. I did not.

Senator McMAHON. I have known him for some years, and I would hate to think that he had fooled me.

Mr. BUDENZ. They were very close together, but that does not mean he was a Communist.

On the other hand, I thought I should report to you this statement, because I don't know what was meant by that. That is the only thing I know about Dr. Jessup that stands out, at any rate.

Senator McMAHON. Mr. Budenz, when did you get wise to yourself, and break with the party?

Mr. BUDENZ. That was a long process, Senator.

Senator McMAHON. I should put it this way: When did you finally cut the thread?

Mr. BUDENZ. Well—oh, when I walked out.

Senator McMAHON. When did they know that you had gone?

Mr. BUDENZ. They knew it on October 10, the evening of October 10, 1945.

Senator McMAHON. 1945?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Right after the end of the war?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. Did you announce it to them, in a closed session?

Mr. BUDENZ. I did not. I will tell you what I did. I don't want to take up your time, to show you how hard it is to get out of the Communist conspiracy; but they have the rule that you cannot leave the party. I mean, you cannot resign; you must be expelled.

I, as the president, had signed thousands of dollars of checks. I had to sign thousands of dollars of checks. The Communist Party does the biggest cash business in the world. That is, for example, suppose the Daily Worker is short of money until it gets its campaign going. It borrows from the International Workers Order, the Fur Workers Union, or anything else under Communist control.

Senator McMAHON. Always in cash?

Mr. BUDENZ. Always in cash, so if the auditor comes in they can send the cash back, \$10,000 at a time. They don't make it too big—\$10,000 here, and \$10,000 from another source, until they get, say \$100,000.

Senator McMAHON. You said you signed checks.

Mr. BUDENZ. Then, when we get the money, we return the cash back to the organization, because then we have \$250,000 or \$400,000 on hand.

Senator McMAHON. In other words, when it comes in from the Fur Workers Union in cash, it is deposited by you as a cash receipt?

Mr. BUDENZ. That is right.

Senator McMAHON. Not indicating where it came from, except on a private record, so when the cash comes in from a drive, it is repaid?

Mr. BUDENZ. The business manager keeps that record. William Browder. William Browder is the business manager. He is permitted by the corporation, under the corporation rules of the board of directors, to draw on that under the name of William Browder, business manager, which we pay back to it on a cash basis, again. We make it, on the record, "William Browder, business manager, \$10,000," or "\$20,000," and I was signing the checks up to \$50,000 and I feared they would accuse me of conspiracy with Browder, or something, to do away with the money. They do do those things.

Senator TYNDERS. Do you not get some of the money from Moscow handed to you?

Mr. BUDENZ. I will tell you about that in a moment, Senator.

The thing is, in order to protect myself, since I knew on October 10 I was leaving, I went to the Polithuro, to Stachel, and said to him, "Am I permitted to sign these checks as president of the corporation?" He said, "Yes," because William Browder was the brother of Earl Browder, who is in disgrace at the moment.

He said, "You are permitted to do that," and they thought I was more diligent than ever.

I might say, during the last 2 weeks I was there, it may sound a little histrionic, but it is a fact: I was under terrific nervous tension while I was giving orders to the comrades. I did have a rosary in my pocket to give me a little strength, because if I had been discovered, I would have been in a terrible position.

Now, by virtue of that, I was able to escape without being castigated or attacked, or my character assassinated until later. Later the character assassinations began, very strongly trying to attack my family.

Senator GREEN. How much later?

Mr. BUDENZ. Well, it began—of course, they had to catch their breath, Senator, I mean.

Senator GREEN. How long did that take?

Mr. BUDENZ. About 24 to 48 hours. Then, they made an attack upon me, but first attacked me as leaving on account of money. That didn't work. Then, they attacked my past personal life very strongly, and every place I went I was attacked as a bigamist and adulterer and everything like that.

They knew what affection I had for my family, my four daughters, and they used that to attack me.

Of course, it is very ironical that that was the attack made. However, that was defeated also and the latest attack they have now throughout the country, that meets me at meetings is: "If you did all the things you say you did, how can we trust you now?"

I find that Communists do that, and I smoke them out. I say, "I don't solicit your trust, or desire your trust. All I ask is that you look at these records and documents."

That has been my line, because I cannot ask anybody's trust.

Senator McMAHON. What documents do you show?

Mr. BUDENZ. I have one of the finest libraries on communism in the world. I have been keeping it up; that is to say, documents which show all the lines of the determination to conquer the world.

Senator McMAHON. You showed something to use the other day.

Mr. BUDENZ. That was one little sample.

There comes to this country, Senator, an amazing amount of instructions to the Communists.

First of all—

Senator McMAHON. Before you go into the instructions, Mr. Budenz—

Mr. BUDENZ. Maybe I am going on too far?

Senator TYDINGS. This is very interesting. I am glad you are doing it.

Senator McMAHON. I am, too, but before you go into that, I am interested, yes, I am glad to you did it and collected all this Communist literature. You apparently were a pretty systematic and a careful fellow, and have been by nature.

Were you ever able to get any of this onionskin stuff segregated and place it aside?

Mr. BUDENZ. You know, Senator, it is strange—I was an honest Communist when I was a Communist.

Senator McMAHON. So you tore it up?

Mr. BUDENZ. I tore it up and threw it away.

Senator McMAHON. I see.

Mr. BUDENZ. Then, I also gave it back. Later on, there was this checking, and I have regretted many times many things I didn't observe more carefully; but I had no idea, until a certain period, even when I began to have doubts—the first great doubt was when I learned of the slave labor camps in the full fashion I did. Then, as I went forward, then, of course, you don't think about that, I thought about how in the world are you going to get out of the concentration camp, to tell you the truth.

I would like to say that one thing now—there comes into this country a tremendous amount of directives to the Communists in the form of publications, in English, beautifully translated, the New Times, every week. That is the successor to the Communist International magazine. It comes in here from Moscow, very rapidly got together, and they send that into every country on the globe in the language of that country. This Cominform publication presents more agitation material, gives the slogans to bring before the people, tells what is more educational, explains the difference—

Senator TYDINGS. Through the mail, by the boatload, and is distributed, or what?

Mr. BUDENZ. It comes here, I don't know how, but it is distributed by the Four-Continent Bookstore, and others, a Soviet foreign agent, and is on the newsstands in New York and other places. I didn't inquire how it comes here. No reason why I should, and at any rate, it is easy to trace.

Senator GREEN. Who publishes it?

Mr. BUDENZ. It comes direct from Moscow.

Senator GREEN. Who publishes it, the Government or who?

Mr. BUDENZ. It has the name of being on the subject of trade-unions, from a Communist International newspaper, we were told that when the Communist International went out of existence, they couldn't have any Communist International magazine.

Senator HICKENLOOPER. Let me ask—

Mr. BUDENZ. It is there in words, news, and views, and now, you take that Communist leader, he takes that and studies that and he gets the shorthand instructions from a man like Eisler and he is supposed then to be able to interpret the lines from these things he studies day and night, but he gets the spearhead.

You understand, what I used to call political shorthand, he gets it orally from Eisler.

Senator TYDINGS. At the risk of interrupting you, he didn't influence any of the rest of the United States.

I would like to ask you this question, which has nothing to do with this hearing, but I am just curious: How do the Russians contribute in money, in this country? Will you give us a sentence or two on that, and satisfy my curiosity?

Mr. BUDENZ. I cannot tell you the agencies they use. They did have some kind of corporation through the late Joseph Brodsky. He was an attorney. He is dead, unfortunately, but what they have here is this Robert William Weiner. He is an illegal alien who has been over here many years, was convicted when Browder was, but didn't serve because he had heart trouble. He doles out the cash from the conspiratorial fund.

Suppose Browder goes to Moscow? They can't put on the books of the Communists, "Earl Browder going to Moscow, illegal passport." You understand? He gets this money in Washington, thousands of dollars out of Weiner's hands. Also, they have a subdivision of this conspiratorial fund. Suppose a person is ill, or something—

Senator TYDINGS. You have answered my question. I am going to ask you another question, and ask for an answer, yes or no, and then I will quit.

Have you conferred—off the record.

(There was discussion off the record.)

Senator HICKENLOOPER. I want to ask a question about the New Times magazine that you were speaking of, or referred to.

This is a rather broad generality that I am asking you about, but if the New Times had the praise for an American citizen as having a grasp of Soviet aims and Soviet objectives and understanding of the Soviet purpose, would that at least be an indication that they considered that advice as friendly to them?

Mr. BUDENZ. Oh, yes, of course; it wouldn't be presumed that he was a Communist, because they sometimes praise a man like Henry Wallace, who is not a Communist.

Senator HICKENLOOPER. Or Winston Churchill?

Mr. BUDENZ. Yes, when they praised him—they praise certain people during certain periods. They have a line and praise them.

That isn't a presumption—

Senator McMAHON. When you left the party on October 10, 1945, how long was it before you got with the FBI?

Mr. BUDENZ. Well, it was 6 months.

Senator McMAHON. Was it as long as that?

Mr. BUDENZ. That is right.

I will tell you, the reason was, in part, not my own action. Of course, I will tell you, generally, you don't just get out of the Communist camp and become renewed immediately; and one of the greatest helps I received was from Father O'Donnell of Notre Dame, who agreed with me that I should have 1 year of doing nothing but reorganizing myself.

Now, the thing was that during the course of that reorganization, it may have been less than 6 months, at any rate, it was about 6 months, and then the FBI came to Notre Dame and, well—may I tell something very frankly gentlemen? I hope you won't misunderstand me.

To show you how I feared, not the FBI so much, but—I made it a condition, and I hope you won't misunderstand me—that I must have two practical Catholics in any questioning, and that was no reflection, don't misunderstand that. It was that I had to have some personal assurance in my coming out of the concentration camp—of people I could talk to, you understand. I don't know whether anybody knows how a Communist is when he comes out, how he thinks there is a Communist everywhere—you understand?

Senator TYDINGS. Certainly.

Mr. BUDENZ. Not so much in the FBI, but he is so afraid of being trapped, that is one thing—so afraid of being trapped he don't know what he is going to be trapped about, but he is afraid; he has to admit to that.

Senator McMAHON. I happen to be a Catholic, so you can appreciate that I am not trying to trap you.

Mr. BUDENZ. I did not mean that. I wanted the other Senators to understand that there was no reflection on any other religion. That was the only way I could express it.

Senator McMAHON. I know you appreciate the fact that anyone who tells the truth welcomes all examination that they can get because obviously we are here to find the truth.

Mr. BUDENZ. Yes.

On the other hand, you see, in the beginning—of course, as time goes on—

Senator McMAHON. You get reorganized.

Mr. BUDENZ. I have developed and reorganized; but in the beginning, I was afraid to talk to almost anyone, and that still lingers on to some extent.

Now, I did have these two men, and they gave me a grilling for 3 days. Now, I want to confess, Senator, on some points I didn't want to tell them things. I mean, I still had a lingering of wanting to keep things back.

Senator McMAHON. Where did you have those conferences?

Mr. BUDENZ. At Notre Dame.

Senator GREEN. Who were the two men? Teachers there?

Mr. BUDENZ. No; they were FBI agents. They were FBI agents and they gave me a real grilling for 3 days, and a part of the nights.

Senator GREEN. And how did they find out about you?

Mr. BUDENZ. Oh, they knew I was at Notre Dame. I mean, they knew I was at Notre Dame—they knew that.

Senator TYDINGS. The press had it in there.

Mr. BUDENZ. The press did it, it was all over. The point is that they came out there and grilled me 3 days. I say "grilled," not unfriendly—

Senator McMAHON. A searching examination.

Mr. BUDENZ. That is right.

Senator McMAHON. At the school, 3 days, and then there was a break and you went back with them again?

Mr. BUDENZ. Well, then, as they didn't have much to do with me, I should say—I mean, off and on, they would come and see me, but they didn't have much to do with me until I came back to New York; and then, I began to prepare certain cases with them.

Senator McMAHON. What month was that, that you came back to New York? You said 6 months. That would bring it roughly to March of 1946, before they were at Notre Dame.

Mr. BUDENZ. That is right, about that. It may have been earlier.

Senator McMAHON. February or March?

Mr. BUDENZ. Well, it was in—I had to settle down. I should say it was in September 1946.

Senator McMAHON. You were back in New York in September 1946?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. And then how many days did you spend with them?

Mr. BUDENZ. Well, I can't give you the exact number of days. It is very irregular, but they used to come irregularly, particularly in the preparation of cases. That is to say, first of all, they had me analyze the whole Communist constitution. Well, I had to do a careful job

on that. At any rate, we went along on it, and they were preparing a case and I spent most of the time preparing cases, although from time to time, they would show me a picture, or ask me a question.

Senator McMAHON. Perhaps, as you know, I used to be in charge of the Criminal Division of the Department of Justice, so I have many, many friends in the Department of Justice.

Now, we have been associated off and on for 20 years, and are very close friends, and I am very much interested in the fact, I have been following you for some time and I asked them one time how you were doing, and they said "Very well"—that they thought you were telling them every single important fact that you knew, and this is my recollection, which is very hazy, and you would have a much better recollection than I would have of it, and one fellow told me that, as I recollect it, that you spent 11 or 12 days discussing this conspiracy with them.

Is that about right?

Mr. BUDENZ. You mean—when?

Senator McMAHON. I mean, well, 3 days at Notre Dame, and when you came back to New York?

Mr. BUDENZ. For 11 or 12 days solid? Well, as a matter of fact, gentlemen, I should be on the FBI payroll some way.

On the big trial, I didn't only spend it with the FBI, but with Judge McGahey. He came every Thursday, that was my day off, he came to Fordham, and we spent nearly all day on that case.

Also, in addition to that, the whole Christmas vacation, Judge McGahey came to my house, so we would have the records there, and we worked on that.

I am trying to show you that—

Senator McMAHON. You spent literally hundreds of hours talking to these agents?

Mr. BUDENZ. That is right.

Senator McMAHON. Cooperating with the Government, and giving them the very best information that you had, to combat this great conspiracy?

Mr. BUDENZ. That is right.

Senator McMAHON. That was your desire, to do that?

Mr. BUDENZ. Oh, surely.

Senator McMAHON. Right from the start?

Mr. BUDENZ. That is right, sir.

Senator McMAHON. You say that it was a life and death matter to you, in your instructions at any time in carrying out the party line, and that intrigued me.

How in the world did you succeed, for so many years, in watching that line?

Mr. BUDENZ. It was a very tense situation. I used to stay almost every night and study these documents, and in addition, there was a representative of the Politburo who came every day, and we conferred on these matters.

Now, the representatives of the Politburo, like Jack Stachel, he is in touch with the Communist International representative, he brings in a new line, and therefore, I mean, it may be a variation of the line, or a change in the line and there he tells about it.

Now, Stachel is a very clever man. He wouldn't say much when a new line was coming, because sometimes these bureaucrats would come

in and say: "You have to have these editorials immediately," and couldn't explain it, and you would have to go and look up problems for them, but Stachel was clever, he would come in and ask everyone of the editorial board of the Daily Worker: "Well, now, under this situation what do you think we should do?" and everyone would make a mistake, because they all interpreted it according to the old interpretation of the old line.

You understand, it isn't the old line, but perhaps it would be the interpretation which changed. Take a man like Badoglio in Italy, who was considered to be a Fascist and a viper and, although the line was to be violently against him, suddenly we get orders that he is a desirable leader, and that is in evidence of interpretation in the line.

But, Stachel would come along and ask you "What do you think about this situation?" And everybody would argue along, according to the old interpretation and all would be wrong and then he, I have never seen such ability to use your arguments against you—he then figures out how to offset your arguments, and would knock you over.

Senator McMAHON. Then tell you you were all wrong?

Mr. BUDENZ. Yes. Then there was a man named Milton Howard, who is still on the Daily, so prostrate is the Communist mentally—he would run his hands through his hair and say, "Why can't we be better Marxists?" He knew you couldn't tell what Moscow wanted on a thing like that.

Senator McMAHON. I am interested.

Mr. BUDENZ. The psychological problems of a Communist are amazing.

Senator McMAHON. You are developing that very nicely.

Senator GREEN. Did you say "death or life"?

Mr. BUDENZ. I meant political life. They have been in danger of life, too. Julia Stuart Poyntz was killed by the Communists—she was, I discovered that. You see, in my zeal to defend the Communists I discovered that they really had killed her. I wanted to defend the Communists and they wouldn't let me. The thing is that she was killed here in New York by the Communists, but she was about to close out, and they caught her before she got away, and her own husband, as I understand it—I wouldn't swear to it—but her own husband betrayed her and called her up to meet him.

Senator TYDINGS. He was a Communist, too; is that right?

Mr. BUDENZ. Yes. She was in the underground.

Senator GREEN. Do you know of any case—

Mr. BUDENZ. That is Julia Stuart Poyntz, P-o-y-n-t-z, an American school teacher and a very active open Communist leader, out in the open.

Now, another thing they do: they buy out people to keep them from testifying. I know that Harry C. Wycks, editor of the Daily Worker, was on the payroll of the Communist Party. This was officially told to me by Weiner—this is secret—he was on the payroll of the party to keep them from the Dies committee, at the time he was attacking the party, he, Harry Wycks: The thing is, the reason I know it, that we had difficulty with that Chicago Communist paper out there financially, and I was always urging for more and more money, and Weiner said, "We have so many calls upon our funds from that so-and-so Wycks; I have to give him so much money every month to keep him from the Dies committee."

Senator McMAHON. Tell me, when you were in these conversations with the agents, I presume that their inquiry and their main interest was the way that the party was cooperating in developing the world Communist line. I suppose that was one of their main—

Mr. BUDENZ. That was of interest because they were building up that case, I believe.

Senator McMAHON. Against 11 Communists?

Mr. BUDENZ. That started a long time before.

Senator McMAHON. I suppose, too, that if they were not they should have been very interested in who we had in the Government service, who were off line, and were Communists?

Mr. BUDENZ. Well, I suppose they were, although that question I didn't discuss the Government people with the FBI, and I left them to the end.

Senator McMAHON. Were they content to do that?

Mr. BUDENZ. Well, I don't know whether they were or not.

Senator McMAHON. I mean, the loyalty program, you see—

Mr. BUDENZ. They asked me about a number of people specifically. That is to say, I have said that a number of people came to me, and I think that I have been responsible, insofar as my information is concerned, in having people exempt, more than or as much as I have called them Communists, because of facts.

Senator McMAHON. You have cooperated in the loyalty program then, since it started in 1947?

Mr. BUDENZ. Oh, yes.

Senator McMAHON. Right from the start?

Mr. BUDENZ. Yes.

Senator McMAHON. Given the best that you had in you?

Mr. BUDENZ. That was spasmodic, of course. There were other things that came in, these cases came in between.

Senator McMAHON. I recognize that, but of course it is all one huge conspiracy, and these fellows that were contacting you, McCarthy was one, do you want to give us the other names?

Mr. BUDENZ. Well—

Senator McMAHON. Was one Pat Cohen?

Mr. BUDENZ. Pat Cohen, yes.

Senator McMAHON. I have known him for many years.

Mr. BUDENZ. There had been also, Guard, but he is only irregularly.

Senator McMAHON. Pat has probably been your closest—

Mr. BUDENZ. Pat Cohen gave me my initial bath, so to speak.

Senator McMAHON. Quite a fellow.

Mr. BUDENZ. Oh, yes; a very fine man. And, McCarthy has been the man in touch with me most of the time, although from time to time other agents have accompanied him.

Senator McMAHON. I see.

Mr. BUDENZ. Irregular agents.

Senator McMAHON. Well now, those 11 that have been convicted, has that affected things a good deal, do you think?

Mr. BUDENZ. Well, I think it has affected public opinion, Senator.

Senator McMAHON. You think it has affected the operations of the party any—weakened it?

Mr. BUDENZ. To a degree. I mean, as yet—if they are convicted—

Senator McMAHON. You mean if it is upheld?

Mr. BUDENZ. That is right.

We must remember that the Communist counts his apparatus above all, and if he can maintain an apparatus, he is content; he knows he is going to be under attack. Now, the thing is that if they are convicted, that will certainly be a blow to their apparatus.

Senator McMAHON. I should think so.

Mr. BUDENZ. No doubt about it.

Senator McMAHON. Tell me, as far as you know, the FBI seems to be running down all the leads that you gave them, do they not?

Mr. BUDENZ. Oh, yes.

Senator McMAHON. Pretty strenuously and vigorously?

Mr. BUDENZ. That is right. Of course, I will tell you, sometimes Senator I must confess this: You must not think this is laches, or anything, but I sometimes confine myself to answering questions. That is to say—

Senator McMAHON. It gets pretty tiresome.

Mr. BUDENZ. Well, it gets tiresome and it gets well—it isn't only tiresome, but for instance in the Harry Bridges case, I begged not to go on the stand. I think you will find that I had the evidence, and they had all the evidence they needed against him, but I begged not to, I am not making a plea there—

Senator McMAHON. That is understandable.

Mr. BUDENZ. So that once in a while, I do not. It isn't that I don't want to serve the Government, but once in a while I do not give to the FBI, or take the initiative in any way, and remain sort of passive and let them ask the questions.

Senator McMAHON. I suppose that you must have been able to give them hundreds of names in this conspiracy and I think it is a wonderful thing.

Mr. BUDENZ. Well, I don't know how many hundreds. The fact of the matter is, I think I have given quite a few, but I was not content with what I had given them. I felt that I wasn't covering the field well enough, that is why I began this other list. I think, though, that I have given them a lot of names.

Senator McMAHON. In this other list, it will include, or will it, any names that you have heretofore given them?

Mr. BUDENZ. Oh, yes; there are duplications in there, but I want to make a whole complete clean sweep.

Senator McMAHON. Do you think that this Institute of Pacific Affairs—

Mr. BUDENZ. Relations.

Senator McMAHON. The Institute of Pacific Relations was a potent force in molding opinion?

Mr. BUDENZ. I think so. I will tell you why: First of all, it had this aura of the YMCA back of it. Secondly, it was a splendid agency for penetrating Washington.

Now, you see I have heard Field's report, which has not been detailed, on Washington activities, that he was active down here. I know, for several reasons. One time J. Peters came to me, and that is the name—I don't foolishly call Field a Soviet agent, espionage agent—J. Peters came to me and asked for a list of names who were in the Washington cell here, not like Pressman or that crowd, or not in the Field group, but who were separate and fresh, and he mentioned Field as operating. I know from Field's report, although he was

very cautious of that, I mean in the Politburo, Field did not get up and make a report on Communist activities.

Senator McMAHON. I don't happen to agree with what you said the other day was the Communist theory that whoever gets China gets the world. I think that is a mistaken impression.

(Discussion off the record.)

Senator McMAHON. But, I could rebut in my own mind—

Mr. BUDENZ. I was only reporting.

Senator McMAHON. I was just saying, it is not important, but I don't think that is right. However, that is neither here nor there. They believe, the Soviet believes, and hence you, as a good Communist, believe that whoever won the east won the world; that is true?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. This Institute of Pacific Relations, in your opinion, was the spearhead of the Communist propaganda movement in this country?

Mr. BUDENZ. Well, it was going—yes it was, in part, not the whole thing, but it was a big part.

Senator McMAHON. I understand.

Mr. BUDENZ. Of course they also relied on Harry Bridges. He was to penetrate Hawaii.

Senator McMAHON. He was an individual.

Mr. BUDENZ. He was completely under control.

Senator McMAHON. I am talking in terms of a publication, that was a principal publication—what was it?

Mr. BUDENZ. I called the organization—

Senator McMAHON. The principal organization which had a publication.

Mr. BUDENZ. That is right.

Senator McMAHON. Then, in your opinion, that had tremendous influence in the most vital field of operation, according to the Soviet Union, and this fellow Lattimore was the editor of that publication for how many years?

Mr. BUDENZ. I think seven.

Senator McMAHON. Seven years?

Mr. BUDENZ. Yes, sir.

Senator McMAHON. You know, that is why I can't figure out how you could have spent hundreds of hours with the FBI agents and never mention his name.

Mr. BUDENZ. Well, the reason is, because that matter of the Institute of Pacific Relations, while it came up, did not come up in a very definite or vivid way. We had other things we were busy about, you must understand.

Senator McMAHON. You can see my puzzlement, can you not?

Mr. BUDENZ. I can see your puzzlement; but nevertheless, I can show you other puzzlements that might also puzzle you if we had time, other people that I have not dwelt upon with the FBI.

Senator McMAHON. I see.

Mr. BUDENZ. You see, take for example another thing, Senator: You understand also, a man who is an ex-Communist, he just simply also respects a certain amount of power, too. He doesn't rush out and reveal every one. I had the greatest hesitancy in revealing that list today, even in executive session, not that I mean to say it will be

revealed. The point of the matter is that to clash with certain individuals and forces is not desirable. I don't mean to say you are afraid, or anything like that, but for you to rush out to do it is not a desirable thing. If you are approached and examined and questioned—here is what happened, the first thing was the cases. You see, I have many other things to do besides this. I teach 14 hours a week.

Senator GREEN. How often?

Mr. BUDENZ. Fourteen hours a week which is considered more than the ordinary burden; and then, in addition to that, I was confronted immediately with practical problems, confronted with a number of deportation cases, many more than I even served in, and in order to get the cases up, you have to have the greatest care. I felt that Eisler and Peters were very important. It was my opinion that the strategy should be first to get those people who were obviously Communist agents, that is what I thought.

Senator McMAHON. Obviously Communist agents?

Mr. BUDENZ. That is right.

Senator McMAHON. And then the ones suspected of being Communist agents?

Mr. BUDENZ. Those whom you could prove were Communist agents, for this reason—that you had to consult their opinion, and consult the facts of it during recent years, Senator.

(Discussion off the record.)

Senator McMAHON. Let me ask you this question: Do you know of anybody in the State Department now, other than the ones whom you have named, other than the one you have named, Hanson, to be a member of the Communist Party?

Mr. BUDENZ. Well, Senator, might I ask the privilege of presenting to this committee such names as I have in the Government, during the next 2 weeks?

Senator McMAHON. Such names as you have?

Mr. BUDENZ. In the Government.

Senator McMAHON. People in the Government.

Mr. BUDENZ. Yes, sir, including the State Department.

Senator McMAHON. Well, yes; are there some?

Mr. BUDENZ. I would like to do it carefully. I believe I shall present some.

Senator McMAHON. If they do exist, we certainly want them.

Mr. BUDENZ. I would like to do it very carefully, though, and with an explanation of how I know.

Senator McMAHON. Will they be names of people whom you have given to the FBI?

Mr. BUDENZ. I think most of them are; yes. I mean, I can't always remember.

Senator McMAHON. What is the decision of the committee with respect to proceeding?

Senator GREEN. I think we can excuse him while we are in executive committee.

Senator TYDINGS. I think this is more important than answering a little criticism down on the floor.

Senator McMAHON. Off the record.

(Discussion off the record.)

Senator McMAHON. Can you give us, for our record, and this may be a repetition of the questions we asked the other day—when was

Lattimore discussed by you with the FBI? Do you have a record of the date?

Mr. BUDENZ. I have not.

Senator McMAHON. Was it in the past week?

Mr. BUDENZ. Oh, yes; it was. I said I thought, Senator—it is approximately a couple of days after—

Senator TYDINGS. You said 3 or 4 days of the following week, something of that sort.

Mr. BUDENZ. A couple of days after.

Senator TYDINGS. Yes. But you said distinctly that you had talked to them about Lattimore—until after we had been down there.

Mr. BUDENZ. That is correct.

Senator McMAHON. And you gave Lattimore to the FBI, everybody you knew, of course.

Senator TYDINGS. We are all being criticized as to what happened this morning.

(Discussion off the record.)

Senator McMAHON. Tell me, is it a systematic business or in part, or was it, to start whispering campaigns about people?

Mr. BUDENZ. Well, I don't know.

Senator McMAHON. It seems to me I recollect either in some article that you wrote, or maybe it wasn't your article, but that is—

Mr. BUDENZ. They start character assassination upon people who attack them, yes.

Senator McMAHON. Frequently they will start a rumor that you are a Communist?

Mr. BUDENZ. Not to my knowledge.

Senator McMAHON. No? You never knew that to be done?

Mr. BUDENZ. No. That would confuse their own ranks.

Senator McMAHON. I was under the impression, I read somewhere that one of the favorite techniques was to get somebody and say "Now, he is attacking us, but really he is one of us."

Mr. BUDENZ. I never heard of that.

Senator McMAHON. It is not true?

Mr. BUDENZ. It would cause too much confusion in their own ranks.

Senator McMAHON. If you haven't heard it, they don't?

Mr. BUDENZ. They attack you on character assassination, they accuse you of every crime under the sun, sometimes, when your acts injure them.

Senator McMAHON. Frequently, of course, as you pointed out yesterday, any member of this committee might have some public question and would coincide for the moment with the views that they have.

Mr. BUDENZ. Oh, yes; that is right.

Senator McMAHON. I remember one instance in my public career when I felt very strongly about something, and was astounded to find that one of the arguments used against me was that the Daily Worker was in favor of it. I had evolved that belief before then.

Mr. BUDENZ. I think that is not a good argument. That would not be a good argument in itself.

Senator McMAHON. Not a good argument to prove McMahon is a Communist sympathizer?

Mr. BUDENZ. No, sir; it would not be. I am not discussing you personally, I mean against anyone.

Senator McMAHON. I mean, I was just using that as an example.

Mr. BUDENZ. As a matter of fact, the Daily Worker, or—the Communists naturally hang together on things in order to penetrate. That is their means of infiltration.

Senator McMAHON. I was thinking, therefore, in the light of that, and the experience I had myself, that it was likewise very dangerous to conclude that a fellow was of the party or in the party, if either line happened to coincide.

Mr. BUDENZ. Well, the only thing is—no, that isn't it.

You don't do it by that. You have to have other evidence, but if someone keeps coinciding, or it does happen that they don't coincide, there is a reason for it. Then, of course, you have a different situation. That is to say, we do know that Communists exist. We do know that they are concealed—

Senator McMAHON. Do you think that, or do you think—this is a question I would like to ask you: Do you consider, as many people do, one of the prime tests of a person's adherence, or nonadherence to the Communist line to be whether or not that person changed overnight, as the Daily Worker had to on the famous night when Russia was invaded?

Mr. BUDENZ. That is, in the case of most people. However, there are exceptions. You will find in the record of Harry Bridges, that that is not the case. They had to persuade him by almost strong-arm methods, I don't mean to say literally, to change; and, there have been many hesitations. As a matter of fact, as I mentioned in my testimony, the Daily Worker has been compelled to criticize some of its own members from time to time to bring them into line, but my answer there is, that is correct.

Senator McMAHON. And you had to do this flip-flop yourself?

Mr. BUDENZ. Any open Communist would have to.

Senator McMAHON. You had to do that flip-flop in June of 1941?

Mr. BUDENZ. Very decidedly; yes.

Senator McMAHON. That must have been a night that will live in your memory.

Mr. BUDENZ. I had to do a couple of flip-flops. I had to do one where we had the Hitler-Stalin pact.

Senator McMAHON. And, they reversed on it, and flopped both ways?

Mr. BUDENZ. That is right. To me, the second was not nearly as difficult as the first.

Senator McMAHON. I was quite impressed by Lattimore's statement, and I asked him, I was the one that asked him, how he acted at the invasion of Russia, and his answer was that he had been on the side of aiding the Allies, and that, as I recollect his answer—now, I will have to look it up—and that of course he had no position to change in June of 1941. That was one of the strong points in his case, to me.

Mr. BUDENZ. I would have to examine that. In fact, I do want the privilege of examining some of those facts and presenting them to the committee in written form, as I said, for this reason: I believe, although you will find a number of other men who are under Communist discipline that did the same thing, they had special permission.

Senator McMAHON. Special dispensation?

Mr. BUDENZ. That is right.

Senator McMAHON. Tell me, you know Lattimore was adviser to Chiang Kai-shek, did you know that?

Mr. BUDENZ. Oh, yes; I knew that.

Senator McMAHON. During that period when he was adviser to him, was there ever any indication to you, through reports or any other way, that he was doubling Chiang?

Mr. BUDENZ. Well, I can't remember that distinctly, Senator.

Senator McMAHON. You don't remember that?

Mr. BUDENZ. Not offhand, now.

Senator McMAHON. You know, he testified that he of course advised Chiang, and supported him to the best of his ability when he was sent out there as an adviser. That was, of course, after he had been made editor of Pacific Affairs, of the Institute of Pacific Affairs.

Mr. BUDENZ. Of course there are gaps in some of my information because I was not present through all the Politburo meetings.

Senator McMAHON. You were not present at all of them?

Mr. BUDENZ. Oh, no. I came up there when I was called up, or when some circumstances compelled me to go. However, I was there frequently.

Senator McMAHON. Now, I would like to ask you—and I am about through, I think you will be glad to know—

Mr. BUDENZ. I only hope to get to Fordham tomorrow. That is the only thing I hope. That is the thing I have to fulfill.

Senator McMAHON. As I understand, Senator Tydings read off a long list of congressional hearings that you have been to, and talked about this thing, and this is the latest of them, and of course we have developed in some way your fine relationship with the FBI, and your effort to cooperate with them.

What other investigators have you talked with—have you talked with the Department of Commerce at all?

Mr. BUDENZ. No, sir. I talked with the Department of State on the Marzani case.

Senator McMAHON. That was the case tried here, Carl Marzani?

Mr. BUDENZ. That is right. He swore falsely. However, I could not help him on that case. That is the only time, to my recollection, that the State Department representative ever came to see me physically, face to face.

Senator McMAHON. You remember where that took place?

Mr. BUDENZ. At Fordham.

Senator McMAHON. At Fordham?

Mr. BUDENZ. This man, Lennox, he came to Fordham and he may have seen me once or twice. I think that is the only place he came, out there.

Senator McMAHON. He saw you more than once there?

Mr. BUDENZ. That is right. That was the only case that I developed anything with them and told them I couldn't, after checking it over, help them.

Senator McMAHON. Because what you had was hearsay?

Mr. BUDENZ. I knew him as Wales, and I didn't know him as Marzani, and it was necessary to know him as Marzani too.

Senator McMAHON. I know the rest of the members of the committee will be glad that I have satisfied a good deal of my curiosity, and will now cease and desist.

Senator HICKENLOOPER. I have some questions, Mr. Chairman, that I would like to ask.

I shall not insist, one way or another, but I would like to ask about some names.

Do you know of a man, officially—Albert Rhys Williams?

Mr. BUDENZ. I do. I am surprised that you asked me, but I know him.

Senator HICKENLOOPER. Do you know anything about whether he is a Communist or not?

Mr. BUDENZ. Yes, he is a Communist of long standing.

Senator HICKENLOOPER. Do you know that personally, or by official report?

Mr. BUDENZ. I have known him for many years. Of course I have not seen him recently, but I have known him for years; even before I was in the Communist Party, I knew he was one.

Senator HICKENLOOPER. So, you know he is a Communist.

Mr. BUDENZ. Right.

Senator McMAHON. Who is that?

Mr. BUDENZ. Albert Rhys Williams.

Senator McMAHON. What does he do?

Mr. BUDENZ. I think he was a former minister, or educator for the—I am not quite sure, something along that line, and then he became a Soviet propagandist. He has written. He always claimed to be a liberal and not a Communist, but I know him to be a Communist. He was a great friend of Robert W. Dunn.

Senator HICKENLOOPER. Do you know anything about Donald Hiss? Would you like to comment on that?

Mr. BUDENZ. I would not like to comment on that.

Senator HICKENLOOPER. That means that you would not like to comment at this time on it.

Mr. BUDENZ. That is correct.

Senator HICKENLOOPER. Now, these three names, would you like to comment on whatever personal knowledge, official knowledge, you may have on John Davies, of the State Department?

Mr. BUDENZ. I know nothing about him.

Senator HICKENLOOPER. I see.

Senator McMahon mentioned three names, three other names. I mention here Ruby Parsons and John Carter Vincent, who is now Minister to Switzerland.

Mr. BUDENZ. I would prefer not to discuss those at the moment, until I can file the list with the committee. That will permit—I feel this is quite a responsible obligation—without being more careful in my statements.

Senator HICKENLOOPER. I shall not press—

Mr. BUDENZ. I will say, in reference to Albert Rhys Williams, I don't know what he is today, whether he is a Communist or not. I know he was a Communist up to the last minute I heard of him.

Senator HICKENLOOPER. Are you familiar with Henry Wallace's book that he wrote and published in 1946 about his trip to Siberia, and up in there?

Mr. BUDENZ. I have read his book, but I could not discuss it at the moment. I would have to read it over.

Senator HICKENLOOPER. Then, you have no comment at the moment as to whether the Communists consider that to be a Communist—

Mr. BUDENZ. That was what you might call—Wallace was just surrounded by Communist influence there, in the writing of that book, and also, his policies—

Senator HICKENLOOPER. Are you aware of the fact that Henry Wallace, in writing that book, gives credit to Owen Lattimore and to John Rhys Williams as his—

Mr. BUDENZ. Albert Rhys Williams.

Senator HICKENLOOPER. Albert Rhys Williams as his collaborators in the writing of that book?

Mr. BUDENZ. I am aware of that.

Senator HICKENLOOPER. Mr. Chairman, if you are anxious to leave—

Senator TYDINGS. Go ahead, I will remain.

Mr. BUDENZ. While the Senators wait, I don't know whether this is an impertinent observation or not, but would it be agreeable if I were to furnish anything I know, outside of Mr. Lattimore, what I could on the Amerasia case to Mr. Morgan?

Senator TYDINGS. It would, and let me say this to you, Mr. Budenz: Obviously, as you already know, this is primarily directed to the State Department employees, past and present.

Mr. BUDENZ. I understand.

Senator TYDINGS. Anything that touches on that would be pertinent. If it does not touch on that, so far as I am concerned, I would like for you to turn it over to the F. B. I., because we do not have the facilities to go into things outside of the scope of our investigation.

Mr. BUDENZ. Very well.

Senator GREEN. On this list, some of those who are on that list were in no departments—

Senator TYDINGS. If you will wait—

Mr. BUDENZ. People I would know of, in Government departments.

Senator HICKENLOOPER. May I complete my record?

Mr. Budenz, I have here a copy of a magazine that is called The Reporter of April 25, 1950. It has pictures of people who have left the Communist Party. Your picture is up here, and there is a man there alleged to be Arthur Koestler; also the name and picture of a man alleged to be Stephen Spender; the name and picture of Ignazio Silone; also, a woman named Ruth Fischer—

Mr. BUDENZ. That is Eisler's sister—Gerhart's.

Senator HICKENLOOPER. Also a man Traicho Kostov; also a man named Granville Hicks; also a man Wladyshaw Gomulka; and a man by the name of Laszlo Rajik.

Do you know all those people?

Mr. BUDENZ. I don't know some of them—I don't know all.

Senator HICKENLOOPER. I will show you the pictures. The only thing that I was going to ask you—

Mr. BUDENZ. The only one I know personally, of those, are Ruth Fischer, whom I met after she left the Party, and Granville Hicks. I don't know anyone else.

Senator HICKENLOOPER. Do you have any reason to believe, any sound reason to believe, that any of those people may not have been sincere in leaving the party, or that they may be back, actually, in the party, but openly—

Mr. BUDENZ. Oh, no. The point of the matter is that the people that leave the party and attack it in this wise, openly, are anti-Communists. You can count on that. The party will take care of that, and the person who is suspect, however, when they leave the party, are the ones who remain silent and quiet in regard to the party.

I understand. See what I mean, Senator?

Senator HICKENLOOPER. Yes.

Mr. BUDENZ. That is not due to the fact that they leave the party to become agents of some kind, but after they leave, you see this thing I talked about, about being bribed, about being intimidated or something like that—now, the ex-Communist, such as Silone, Koestler, Ruth Fischer, and myself, as far as we are concerned, are hated more by the Communist Party than anything else. Their press is full of vituperation of us and use every opportunity for injury. They use every device and that is the reason you have to be so cautious; but an ex-Communist who remains silent is a problem.

I will give you an example.

Off the record.

[Discussion off the record.]

Senator GREEN. Mr. Budenz, just as you have told us already, there are certain people in the party who make believe they are non-Communists, so are there not people that are outside that make believe they are Communists?

Mr. BUDENZ. No; no.

You see, those people—look, Senator—those people who would do a thing like that, especially if they were to go and attack the party, month after month, and in trial at the trial—

Senator GREEN. That seems rather absurd.

Mr. BUDENZ. That doesn't happen. That is to say, a man like Koestler, for example—

Senator GREEN. But, there are certain people in the party that make believe they are not; that is true?

Mr. BUDENZ. Surely. That is different. That is to deceive the outside; but, you would have utter confusion within the Communist army, if you try the other thing. In addition, see, one thing, Senator, that they do, they are always watching for agents of the Government.

Senator GREEN. That would be one way to put people off, make believe you are opposed to a thing when you are in favor of it?

Mr. BUDENZ. You would not say you are a Communist, I am sure, and—

Senator GREEN. You don't know of any such case?

Mr. BUDENZ. No; no. That is unheard of, because that would create utter confusion and would destroy the party, itself, eventually.

Senator HICKENLOOPER. I have nothing else.

Senator GREEN. You have not told us, it would be very illuminating, in view of all you have told us, if you told us why you originally joined the party.

Mr. BUDENZ. Well, I would be glad to tell you that, Senator, and why I left. Of course it is a long story, and linked up with my religion. Briefly, it is a sort of personal story.

Senator GREEN. It must be an interesting story.

Mr. BUDENZ. The thing is, I was a great labor—I don't mean "great," I mean intense, and intent labor worker when I was young, and was also very strongly opposed to discrimination against the Negro people

and a number of other things, and thought these reforms were not being cured fast enough. In fact, I took a trip out to Leeds, S. Dak., to help the fight of Bishop Bush, a Catholic. The bishop was against a 7-day week. That was a long time ago. I was about 18 or 19 years old, and I thought he didn't get proper support. I got angry, and in addition—that is what helps to make Communists, thoughtlessness, and impatience, and I felt that he wasn't getting the proper support and that made me criticize the Catholic Church of which I was a member. I left the church.

I did not become a Communist; I went on fighting for labor. I organized strikes. The fact is that I was arrested 21 times in the injunctions, the old days when that injunction was such a problem. I used to get sent in for the A. F. of L. union. Time went on, and I got more and more impatient, thinking that things were not remedied, and I became a Communist.

Senator GREEN. Did you become a Communist at once, or gradually?

Mr. BUDENZ. I fought the Communists; I opposed them. I opposed them very strongly when I was working for the A. F. of L.; and then I gradually, especially in 1935, came around to a certain extent. I will say this, though: I don't want to make it public, because it just looks like an excuse, but to a certain extent I was taken in. That is, that although I knew that Stalin ruled the organization, when they said in 1935, at the People's Front Congress, that they were going to cooperate with a democratic organization and democratic nations, I thought then that communism was becoming democratic on its part, and that it would merge, you understand, into a democratic Communist development.

Therefore, after People's Front Congress was when I joined, after 1935; but of course I soon found, when I joined the Communist Party, right up on the ninth floor here was Eisler.

Senator GREEN. In New York, you joined them?

Mr. BUDENZ. That is right. I became part of the Daily Worker, right away, because they knew me.

Senator GREEN. What do they do or what did they do to test you, to be sure you could stick it out, and that you'd be loyal to them?

Mr. BUDENZ. First of all, they knew me, or had known of me for a number of years in a neighborhood movement; knew my views on how I was opposed to them, and then worked with them in the united front, and so forth; and, secondly, they wanted to use me, as they frankly told me later, because at that time they were trying to weave into the CIO union, and I had been on friendly terms with many of the men who helped form the CIO, like Tom Kennedy of the Miners and, well, John Brophy, and a number of those men who knew me from years back. So, they used me in a sort of front. Jack Stachel told me that. That is why they put me on the central committee so fast.

However, I found Eisler on the top floor, and Peters; and there was Feruccio Marini, whose real name was Fred Brown—they were running the party. Browder was a stuffed shirt, just a front. That is the rule of the Kremlin. The man running the party in every country is never from that country. An American can run the Philippine or Chinese Party.

Senator GREEN. When you are initiated or whatever you call it, you have to take an oath?

Mr. BUDENZ. You take an oath to Stalin; you pledge to Stalin.

Senator GREEN. Did you abjure your country at that time?

Mr. BUDENZ. No; you don't do it that way. You just simply take a pledge of allegiance to Stalin.

I introduced that in the Communist trials. It is in print.

Senator GREEN. I don't have it. I am not familiar with the trials, as you found out the other day.

Mr. BUDENZ. That is all right. The thing is, I introduced this in the trial, and here is the interesting thing about that, Senator: There is a thing that people would say, "Why didn't he bring that forward a long time ago?" I only gave the FBI knowledge of that oath, although it was very clear to me—I only gave Mr. McGahey knowledge of it on the morning I introduced it.

Senator GREEN. Do you have a copy of the oath?

Mr. BUDENZ. I don't know whether I have or not.

Senator GREEN. Can you remember it?

Senator HICKENLOOPER. He repeated it in the record; did you not?

Mr. BUDENZ. Only part, the concluding part. It is a little bit long.

Senator GREEN. Will you put it in the record?

Mr. BUDENZ. It is to Stalin, "The leader and the teacher and guide of the oppressed and proletariat of the world."

That is the lead. You are supposed to read that. They don't make you swear to it, because they don't believe in God, you understand.

Senator GREEN. What do you do; promise it?

Mr. BUDENZ. You pledge, as a Communist.

Senator GREEN. They do not believe in a pledge; do they?

Mr. BUDENZ. You understand that it means punishment of some kind. They don't go into all that.

Mr. MORGAN. May I ask a question?

Senator GREEN. I haven't finished yet.

I am interested in following this up.

Mr. MORGAN. Sorry.

Senator GREEN. Do they have a ceremony at which you are initiated?

Mr. BUDENZ. They don't, for one who has been—

Senator GREEN. In your case, what was it?

Mr. BUDENZ. If you have been in some leading position, some place, they don't have a ceremony.

Senator GREEN. What do they do?

Mr. BUDENZ. They have you read that declaration, and you just agree to subscribe to it.

Senator HICKENLOOPER. I think I will go on the floor, Senator.

Senator GREEN. Did you subscribe to it?

Mr. BUDENZ. Yes.

Senator GREEN. What "subscribe" means—

Mr. BUDENZ. They compel you, Senator, in addition to that, to make a public statement, but that is separate.

Senator GREEN. But, when you say "subscribe," that word "subscribe" means that you underwrite or write under; that is what it is.

Mr. BUDENZ. I understand.

Senator GREEN. Did you write your name?

Mr. BUDENZ. No; but what they do then is make you make a public statement, and I made a public statement, not exactly in the line of the oath, because it is sort of clumsy.

Senator GREEN. Does that appear in the Daily Worker?

Mr. BUDENZ. Yes; on October 2, 1938.

Senator GREEN. That appeared—your statement?

Mr. BUDENZ. That is right.

Senator GREEN. Since then, you were a loyal follower up until when?

Mr. BUDENZ. Well, see, when the slave-labor camps—many things bothered me, but the slave-labor camp matter in 1943 was very, very hard for me to take, and I learned that this slave-labor camp situation extended over so many areas, and in the Soviet Union, and I began to sort of reorganize myself and consider—what is this, anyway?

Then, from that point on, I began to be more and more critical. Of course, I had a number of problems in how to get out of the party. It was in January 1945 that my wife and I decided to return to the Catholic Church. She was not a Catholic.

Then, we decided to write to Monsignor Sheehan, because he had been our severest critic. He had written a pamphlet against me, and we decided that a show of our sincerity would be to go to him, because, after all, you go to a man that just lambasted you, and it would be a sign of your sincerity.

We had to wait for my vacation, and I wrote Monsignor and he got in touch with me, and then that happened.

Senator GREEN. What then? Did you have any ceremony when you went out? Do they pass a vote expelling you?

Mr. BUDENZ. No. I went out—you understand—

Senator GREEN. You were expelled, you say?

Mr. BUDENZ. I went out without their knowledge.

Senator GREEN. But you said they expelled you.

Mr. BUDENZ. They do expel you.

Senator GREEN. What form does that take, that expulsion?

Mr. BUDENZ. It took this form, where I had left them like that. I had expelled myself from them. They took a form of attacking me.

Senator GREEN. Didn't this take some formal recognition? Didn't they formally recognize the fact that you were no longer a Communist? What did they do? They don't give you a certificate? They must pass a vote, or make a statement in the Daily Worker.

Mr. BUDENZ. The statement is made officially by the Politburo.

Senator GREEN. In the Daily Worker?

Mr. BUDENZ. That is right.

Senator GREEN. What date was that?

Mr. BUDENZ. Two days after I left.

Senator GREEN. Could you put copies of both of those in the record?

Mr. BUDENZ. By all means. I don't want—

Senator GREEN. You said you had it.

Mr. BUDENZ. The oath to Stalin. I will be glad to, and the second one—

Senator GREEN. Yes?

Mr. BUDENZ. I will dig them up.

Senator GREEN. We would like to know what it says.

Mr. BUDENZ. All right.

Senator GREEN. And now, that pledge of allegiance to Stalin is inconsistent with a man being a citizen of any other country than Russia; is it not?

Mr. BUDENZ. It certainly is. However, you must understand when you read it that it puts it in the form of "Stalin, leader and teacher

of the world," and doesn't say a word about conquest, but that is the understanding you get as time goes on.

Senator GREEN. Do you think you are, after that, a loyal citizen—

Mr. BUDENZ. Well, the Communist knows that he is now under the control of Moscow, if he knows anything.

Senator GREEN. It is not consistent.

Senator HICKENLOOPER. I must leave, if you will excuse me, to go down to the floor.

Senator GREEN. I will remain.

Now, I have one or two other questions that I want to ask you on a difficult subject. I don't know whether we ought to go into it. Perhaps you would rather have them here than tonight.

Were you coming back tonight?

Let me ask you now. I don't care about going down tonight and listening to that—

Mr. BUDENZ. I will be glad to answer them.

Senator GREEN. I think these are all the names that were mentioned at the previous hearing when you appeared.

Remember, I asked you about Mr. Kohlberg?

Mr. BUDENZ. Yes.

Senator GREEN. I would like you to refresh your recollection about that. It seems to me you rather minimized your association with him.

Mr. BUDENZ. I didn't intend to minimize it. I know Mr. Kohlberg, but the thing is, Senator, I didn't want to give the impression that Mr. Kohlberg had any influence on my thinking or actions.

Senator GREEN. I am not saying he had the influence. Perhaps you had influence on his.

Mr. BUDENZ. I doubt it.

Senator GREEN. I don't care. I want to know your association with him, how often you saw him, and for how long?

Mr. BUDENZ. I see him irregularly, from time to time. I will tell you, here is the thing: There are several things that make me see him, or made me see him—one was the fact that he had helped George Hewitt, an ex-Communist, a Negro that had had a very difficult time, and who is now paralyzed; and, several other things like that caused me to know him, but I have been—

Senator GREEN. How many years have you known him?

Mr. BUDENZ. Well, as well as I could place it, it was at the time he was making this contest in the Institute of Pacific Relations.

Senator GREEN. I don't remember what year that was.

Mr. BUDENZ. Well, it isn't very long ago.

Senator GREEN. About 2 years ago?

Mr. BUDENZ. Just about that. It may be—no longer, certainly. Well, I wouldn't say definitely; at any rate, it isn't long.

Senator GREEN. How recently have you seen him?

Mr. BUDENZ. I saw him last week.

Senator GREEN. What day?

Mr. BUDENZ. Well, I don't remember the date, exactly. I saw him very hurriedly last week. In fact, on a couple of occasions I saw him very hurriedly.

Senator GREEN. Where did you see him in New York?

Mr. BUDENZ. At my house.

Senator GREEN. Is your house in New York?

Mr. BUDENZ. Yes, sir.

Senator GREEN. You think you saw him two different days?

Mr. BUDENZ. Yes, sir.

Senator GREEN. Was Morris there?

Mr. BUDENZ. I should say—no.

Senator GREEN. You should know--last week.

Mr. BUDENZ. I will tell you. Here is the situation: There has been coming and going. At any rate, the point is, the point of the matter, Senator, is that I had not seen Mr. Kohlberg, prior to these 2 or 3 days, for weeks.

Senator GREEN. You had seen him several weeks before?

Mr. BUDENZ. Well, it must have been a month, a whole month, at least.

Senator GREEN. Yes.

Mr. BUDENZ. Maybe longer, that I had not seen him.

Senator GREEN. Before that, you had seen him several times?

Mr. BUDENZ. On and off.

Senator GREEN. A week or two apart?

Mr. BUDENZ. Well, it may be.

Senator GREEN. Now, the 2 days last week when you saw him—

Mr. BUDENZ. That is, these engagements were irregular.

Senator GREEN. I don't mean to say you had regular dates with him. These last 2 days you saw him, what did you discuss with him?

Mr. BUDENZ. Well, we didn't have much of a discussion of anything, to tell you the truth.

Senator GREEN. You didn't sit and twiddle your thumbs?

Mr. BUDENZ. No, we didn't. I think that—well, once he had been in touch, I think, with Senator McCarthy.

Senator GREEN. He had been?

Mr. BUDENZ. Yes.

Senator GREEN. That was the first time?

Mr. BUDENZ. The first day I think I saw him, that is what I suppose—

Senator GREEN. So then, did you discuss your coming testimony?

Mr. BUDENZ. No, we did not.

Senator GREEN. You knew you were going to testify, or expected to testify?

Mr. BUDENZ. Yes. As a matter of fact, nobody knew about my testimony in full, until I talked to Mr. Morgan.

Senator GREEN. I mean, in part.

Mr. BUDENZ. I may have known, in part.

Senator GREEN. Did he give you any advice?

Mr. BUDENZ. He did not. Mr. Kohlberg has never given me any advice and I would not take any particular advice.

Senator GREEN. Did he give you any information?

Mr. BUDENZ. From time to time, he has.

Senator GREEN. On that day?

Mr. BUDENZ. I don't think so.

Senator GREEN. When you mentioned Senator McCarthy, he must have told you something about Senator McCarthy.

Mr. BUDENZ. He told me he was in the city.

Senator GREEN. Did he give you any message from Senator McCarthy?

Mr. BUDENZ. He may have told me that Senator McCarthy would not subpoena me next week. I am not sure whether he told me that, or someone else.

Senator GREEN. But someone told you that he would not?

Mr. BUDENZ. That was my understanding.

Senator GREEN. If it was not Mr. Kohlberg, who was it?

Mr. BUDENZ. Well, it may have been Mr. Kersten, who was there one day—Charles Kersten.

Senator GREEN. When had you seen him?

Mr. BUDENZ. I saw him about in the middle of the week, before I left, and went to Michigan.

Senator GREEN. Well, to go back to Mr. Kohlberg, the first time he came to see you, did he come in order to tell you he had seen Senator McCarthy?

Mr. BUDENZ. No.

Senator GREEN. He came for some purpose; didn't he?

Mr. BUDENZ. I think that was the second time that he spoke about Senator McCarthy.

Senator GREEN. What was the first time, then?

Mr. BUDENZ. Well, the first time, I think that I had left word that he should get in touch with me because I was interested in this case of Hewitt.

Senator GREEN. About what?

Mr. BUDENZ. George Hewitt, the ex-Communist.

You see, Mr. Hewitt was a Negro Communist who became quite ill, and before that, however, Mr. Kohlberg, I think, employed him. At any rate, I was very interested in Mr. Hewitt, and things—I think we discussed him.

Senator GREEN. Mr. Kohlberg was very much interested in this investigation; was he not?

Mr. BUDENZ. He was interested in it, but he did not discuss it very much with me.

Senator GREEN. That day, you may have mentioned it incidentally, you mean?

Mr. BUDENZ. We may have mentioned it.

Senator GREEN. Why did he come back the next day?

Mr. BUDENZ. I say, the day I remember he came was the day that Senator McCarthy was in New York, and if I recollect correctly, it may have been that Mr. Kersten told me, if I can recollect—Mr. Kohlberg told me very hurriedly, because he was only in the house a very short time, that Senator McCarthy would not call me, as I understand it.

Senator GREEN. You don't remember anything else about the conversation?

Mr. BUDENZ. Well, we discussed China and other things.

Senator GREEN. What his views of China were, from a pro-Chiang—

Mr. BUDENZ. Yes.

Senator GREEN. And he had been?

Mr. BUDENZ. I cannot see why anyone cannot be for Chiang Kai-shek. He is not threatening to destroy it, but the Chinese Communists are. My point is, I will talk to anybody anti-Communist. I will talk to Archbishop Yu Pin. I have had many talks with Yu Pin, archbishop of Nanking, and he can be accused of being pro-Chiang Kai-shek, too. He is interested in the missionaries who are going to be slaughtered by the Chinese hordes and other people.

Senator GREEN. That is no test of loyalty, whether you are for or against Chiang Kai-shek.

Mr. BUDENZ. The only point I want to make is, my association I have, any association I have with Mr. Kohlberg, was on the same friendly basis and association that I have with many other people.

Senator GREEN. I would think it would be very natural, if you knew that Mr. Kohlberg was very much interested in the Chinese question and that he would doubtless be interested in the Lattimore case—

Mr. BUDENZ. Undoubtedly he was.

Senator GREEN. He must have known that you might be called as a witness, and one day he came to you from Senator McCarthy and told you that you would not be called. What else had he to say about the Lattimore case?

Mr. BUDENZ. We discussed very little at all. I can't think of a thing he said about it, except his general statements in regard to the people who were friendly to the Chinese Communists. We did not have a detailed discussion, he and I, on any material—

Senator GREEN. In general?

Mr. BUDENZ. Or about Mr. Lattimore.

Senator GREEN. In general, what did he say about the Lattimore case?

Mr. BUDENZ. I don't know that he said anything in particular that I can recall.

Senator GREEN. He must have mentioned that things might have been going well, or going badly, or that Lattimore was a liar, or that Lattimore was this, that, and the other.

Mr. BUDENZ. As a matter of fact, to a large extent, I avoided the Lattimore case in detail, because I have been aware that there had been an attack on Mr. Kohlberg, and I am friendly to Mr. Kohlberg but certainly not influencing Mr. Kohlberg; never have been.

Senator GREEN. I don't know what attack you have heard of, but did you talk to Mr. Kohlberg about the attack on him, or did he mention it to you?

Mr. BUDENZ. Some time in the past I think we have; yes, I joked with him about it.

Senator GREEN. But not on these 2 days.

Mr. BUDENZ. Not that I recall.

Senator GREEN. Are you positive that you did not?

Mr. BUDENZ. I don't recall exactly, because, as I say, Mr. Kohlberg came in while Mr. Kersten was there. I mean, during those days when they arrived, and I don't recall the conversation of each one. As a matter of fact, what I was trying to do was to organize my own thinking independently of other people so I could present it to Mr. Morgan, and was in a hurry to dispense with discussing it with people—

Senator GREEN. Excuse me, had you had any other messages from Senator McCarthy?

Mr. BUDENZ. Well, I understand Dr. Matthews called me up originally. He had learned that I knew something about Mr. Lattimore. I was very cautious in speaking over the telephone, however, as I always am, and stated that anything I have to say about Mr. Lattimore will have to be said in a nonpartisan way, before a committee, under subpoena.

Senator GREEN. Can you tell us—that was a telephone conversation, you say?

Mr. BUDENZ. Yes, Senator.

Senator GREEN. Did you have any other conversation, personally, with him?

Mr. BUDENZ. Never with him, or anybody, on this question, in detail.

Senator GREEN. Any other question?

Mr. BUDENZ. Senator, when Mr. Morris and Mr. Kersten came to my house of their own volition, I discussed briefly the case, although I didn't give the full evidence, kept it to myself, until I saw Mr. Morgan.

Senator GREEN. When was it that you last saw Mr. Matthews?

Mr. BUDENZ. Oh, I haven't seen him personally for years. I know him. You see—

Senator GREEN. When was this telephone conversation?

Mr. BUDENZ. That was very recently.

Senator GREEN. What day?

Mr. BUDENZ. I would have to check on that and advise you, Senator, for this reason: You understand, a number of things have happened. I told you I shall send here to the committee the letter, if I can recover it, that Senator McCarthy first wrote me, which was after, as I understand it, the Lattimore case was already in the papers, because he refers to Owen Lattimore there as somebody.

Senator GREEN. A letter from Senator McCarthy?

Mr. BUDENZ. That is right.

Senator GREEN. Do you know him, or did you know him?

Mr. BUDENZ. Senator McCarthy?

Senator GREEN. Yes.

Mr. BUDENZ. I never heard of him except as a Senator.

Senator GREEN. Until you got the letter?

Mr. BUDENZ. That is right.

Senator GREEN. That was the first communication you had, either oral or in writing?

Mr. BUDENZ. That is right.

Senator GREEN. You had no oral message from him?

Mr. BUDENZ. That is all.

Senator GREEN. And later, the message?

Mr. BUDENZ. That is right.

Senator GREEN. How did you happen to discuss with Mr. Matthews the Lattimore case?

Mr. BUDENZ. He raised it; Mr. Matthews I know very well—

Senator GREEN. Why should he have raised it with you?

Mr. BUDENZ. He was the investigator for the Dies committee. He also is an expert on communism for the Hearst magazines, and in that connection apparently learned that I knew something about Mr. Lattimore. He intimated in his telephone conversation as to that, and I didn't say whether I did or not.

Senator GREEN. I am not asking you what you said. What did he say about Lattimore to you?

Mr. BUDENZ. He said, "I understand you know something about Owen Lattimore as a Communist."

Senator GREEN. Did he say anything about testifying?

Mr. BUDENZ. I told him, "Whatever I have to say about Mr. Lattimore must be on a nonpartisan basis, under subpoena."

Senator GREEN. Did he ask whether you were willing to testify? Mr. BUDENZ. I don't think he used the word "willing."

Senator GREEN. What did he say about it?

Mr. BUDENZ. Well, he indicated that he wanted me to testify, and I said I would not except under subpoena and on a nonpartisan basis.

Senator GREEN. Was that before or after you talked to Mr. Kohlberg?

Mr. BUDENZ. May I say something off the record?

Senator GREEN. Why?

Mr. BUDENZ. So I can explain.

Senator GREEN. Do you have any objection to putting it on the record?

Mr. BUDENZ. I will tell you why, Senator, and then we will see.

(There was discussion off the record.)

Senator GREEN. I don't see what that had to do with your explanation of my question.

Mr. BUDENZ. I was explaining to you why I took that position to Mr. Matthews. I didn't catch it.

Senator GREEN. You were talking to Mr. Matthews—was it before or after you talked to Mr. Kohlberg?

Mr. BUDENZ. Before.

Senator GREEN. Before?

Mr. BUDENZ. Yes, sir.

Senator GREEN. So, you knew, then, that they were looking for you to testify, that you would refuse, and this was a message brought by Mr. Kohlberg from Senator McCarthy; is that right—or it may have been—that they would not call you?

Mr. BUDENZ. That is right.

Senator GREEN. That is right?

Mr. BUDENZ. That is correct.

Senator GREEN. Well, now, you mentioned also, who was it, Congressman Kersten?

Mr. BUDENZ. Yes, sir.

Senator GREEN. Where did he come into this?

Mr. BUDENZ. I know Congressman Kersten, and have for many years. He was on the House Labor Committee. When he was investigating communism I was just as reluctant to testify for him as I have been to testify all along.

He just called up and came out to my house, and I did not go into any—

Senator GREEN. How often had you talked to him about this case?

Mr. BUDENZ. I think—once.

Senator GREEN. Only once?

Mr. BUDENZ. Yes, sir.

Senator GREEN. Where was that?

Mr. BUDENZ. At my home.

Senator GREEN. In New York?

Mr. BUDENZ. Out of New York—yes, sir.

Senator GREEN. He came to you to talk to you about it?

Mr. BUDENZ. Yes, sir.

Senator GREEN. The Lattimore case?

Mr. BUDENZ. That is right.

Senator GREEN. What did he tell you; what advice did he give you?

Mr. BUDENZ. He didn't have any advice to give me. As a matter of fact, I did not disclose to Mr. Kersten what my testimony was to be. Apparently Mr. Kersten had come to learn what my testimony might be.

After all, Senator McCarthy didn't know what I was going to say, but I felt reluctant to go into this matter, although I received him in a friendly manner.

Senator GREEN. Well, did you think that they were trying to find out what your testimony was going to be, if called?

Mr. BUDENZ. Oh, I think so.

Senator GREEN. Did they not know; did they not assume that you were with them?

Mr. BUDENZ. Well, I think they assumed I was not with them. I am not with anybody.

Senator GREEN. That your testimony would back up their position?

Mr. BUDENZ. Well, I think they assumed I was not with them. I am not with anybody.

Senator GREEN. That your testimony would back up their position?

Mr. BUDENZ. They may have, but they didn't know what I was going to say.

Senator GREEN. You didn't tell any of them what you were going to testify, if called?

Mr. BUDENZ. Only in a general way. I told them in a general way.

Senator GREEN. In a general way, you did, then?

Mr. BUDENZ. The first time I told them—to the counsel of the committee, I did tell Mr. Morris, since I understood he was cocounsel, in a general way what it was; but I did not go into the details.

Senator GREEN. When you saw Mr. Morris, you had already seen Kersten and Matthews and Kohlberg?

Mr. BUDENZ. I hadn't seen Matthews at all.

Senator GREEN. You talked with him.

Mr. BUDENZ. Yes, I had.

Senator GREEN. He came in last, as far as that is concerned?

Mr. BUDENZ. That is right.

Senator GREEN. So you had discussed the matter?

Mr. BUDENZ. Very briefly.

Senator GREEN. With the other three, before you saw Mr. Morris?

Mr. BUDENZ. Yes.

Senator GREEN. I think that is about all, except—have you given any information to any Government agency about Lattimore? I want that plain in the record.

Mr. BUDENZ. To the Federal Bureau of Investigation.

Senator GREEN. When was that done for the first time?

Mr. BUDENZ. That was done, as I said, within the last several weeks.

Senator GREEN. After the committee was appointed?

Mr. BUDENZ. That is correct; yes, sir. In my recollection, I may have discussed it.

Mr. MORGAN. Mr. Budenz, I have one line I would like to pursue, in questioning, and that just briefly. That is with respect to the matter of definitions that would be helpful to us in this record.

I think the general understanding of most of us relative to the Communist problem is something like this: That we have formal membership in the Communist Party; and that, of those who are formally

members, we have those who are openly members and those who are secretly members; and then, additionally, we have those who are, we might say, affiliated with the party; we call them fellow travelers, those who pursue the party line.

Mr. BUDENZ. That is correct.

Mr. MORGAN. For our record, would you be good enough to give us something by way of a definition for those categories? What I mean is—would a fellow traveler be subject to party discipline?

Mr. BUDENZ. A fellow traveler normally would not be subject to party discipline. The phrase, "under Communist discipline," which is very much used, at least was very much used during the latter period of my membership, means one who acts like a fellow traveler but is really a Communist. As a matter of fact, most of the fellow travelers are Communists. There is only a very small group of the type of Albert Einstein and Thomas Mann and people of that kind who, because of their eminent positions, would certainly feel insulted to be under Communist discipline. They are fellow travelers in the sense that they sign many statements under the influence of the people around them.

Senator GREEN. They do not take this pledge?

Mr. BUDENZ. They do not, but those under Communist discipline, they necessarily do not take that pledge, either.

Incidentally, I did not tell the whole story about the pledge. This pledge I gave was to the leaders, those who were going to be in a leading position. There is also a general pledge I was trying to dig up which Browder gave to two or three thousand recruits publicly at Manhattan Center, New York—a very interesting pledge. If I can get hold of that, I will put that in the record.

At any rate, there is a difference between a pledge of the rank and file, and someone they expect to lead—

Senator GREEN. You have such a large library, it must be there somewhere.

Mr. BUDENZ. It is there, all right.

That exhausts that subject.

Mr. MORGAN. What I had in mind, though, was this: A fellow traveler is not a member of the party, is that correct?

Now, when Jacob or Jack Stachel indicates to you that one is to be regarded as a Communist, does he mean by that the individual may be a fellow traveler upon whom the party is depending, or does he mean by that that he is an individual who is formally affiliated, or a member of the party, or can it be either one?

Mr. BUDENZ. A fellow traveler is looked upon, until he becomes a Communist, with a certain contempt. Therefore, he would not designate him except in that category. Very definitely, the Communist Party is a military organization, in its organization. That is to say, it must have the proper categories of people very clearly defined. Therefore, when he speaks about a man, "Consider him as a Communist," he does not mean a fellow traveler.

Mr. MORGAN. Now, unless you have some objection, Mr. Budenz, I would like, inasmuch as we are going into this Amerasia situation, to go down the line of some of the officers of that publication, and ask if you can identify them for us.

Do you have the patience to wait here, Senator? I think it will be helpful to us.

Senator GREEN. If you think it would be, I will be glad to wait.

Mr. BUDENZ wants to get away, and I think you had better ask him now.

Mr. MORGAN. Frederick V. Field was a chairman of the editorial board from 1937 to 1944, according to our inquiry. He had nine signed articles in 1944, and he appears also to have had an article, or articles, in 1944 and 1945. You have already identified him as a member of the Communist Party; is that correct?

Mr. BUDENZ. Yes, and Mr. Field identifies himself again in his recent article in which he declares China is a terrific blow to American imperialism, namely, to the United States. He put himself completely on the side of the Chinese Communists.

Mr. MORGAN. Philip Jaffe, he was managing editor of this publication from 1937 to 1945. You also, I believe, identified him as a member of the Communist Party.

Mr. BUDENZ. Mr. Jaffe is not only a member of the party, but is a Soviet espionage agent.

Mr. MORGAN. T. A. Bisson was a member of the editorial board from 1937 to 1944. Do you identify him as a member of the Communist Party?

Mr. BUDENZ. Yes, sir, from my official information.

Mr. MORGAN. William W. Lockwood was a member of the editorial board from 1941 to 1943. Do you identify him as a member of the Communist Party?

Mr. BUDENZ. No, sir; I cannot.

Mr. MORGAN. Edward C. Carter was a contributor to the publication. Do you identify him as a member of the Communist Party?

Mr. BUDENZ. Yes, sir; definitely he is a member.

Mr. MORGAN. Owen Lattimore, who was a member of the editorial board; I think we already have our record rather replete as to him.

Benjamin Kizer was a member of the editorial board from 1942 to 1944. Do you identify him as a Communist?

Mr. BUDENZ. Unfortunately, I must. He is an eminent lawyer on the Pacific coast—a Communist.

Mr. MORGAN. Kate Mitchell, a member of the editorial board from 1941 to 1945, do you identify her—

Mr. BUDENZ. I identify her as a Communist.

Mr. MORGAN. Harriet Moore, who was a member of the editorial board from 1943 to 1944, do you—

Mr. BUDENZ. I know her as a Communist.

Mr. MORGAN. Anna Louise Strong was a contributor, and I believe you have already commented saying she was a member of the Communist Party.

Mr. BUDENZ. That is correct.

Mr. MORGAN. Of these people, Mr. Budenz, and I will show you the list I have just read, how many of them do you know personally—just name them. That will be sufficient.

Mr. BUDENZ. Frederick Vanderbilt Field, Philip Jaffe, although I haven't seen him for some time; Kate Mitchell; Harriet Moore, and Anna Louise Strong.

Mr. MORGAN. With respect to the others, you know them to be Communists, on the same basis, let us say, as you indicated in your testimony with respect to Mr. Lattimore?

Mr. BUDENZ. That is correct.

Mr. MORGAN. That is all.

Senator GREEN. Are there any other questions?

Mr. MORGAN. I believe that is all I have.

Senator GREEN. Mr. Budenz, do you have anything that we have omitted to ask you, that you feel you should tell us?

Mr. BUDENZ. Only this: That I would like to say I shall be glad to cooperate with the committee in the Amerasia case, so far as I can, in furnishing information to counsel, or in returning when it may seem desirable, if it is desirable.

Secondly, I want to assure the committee that my first statement still holds good, that I have come here in a nonpartisan spirit; that I have had no one contact me in regard to my testimony, so far as making suggestions or formulating it; that as a matter of fact, Senator McCarthy did not know what I was going to say.

And, finally, that I do stand, I want to say, for a strong, nonpartisan policy against communism. That that could be fulfilled would be my greatest hope.

Senator GREEN. Thank you very much.

I should think that it would be very difficult, after being an active Communist for 10 years, or even a less time, and learning their ways, their attitude toward the truth, put it that way, to change back to your original attitude before you became a Communist.

Mr. BUDENZ. You see, Senator, I was fortunate, in my opinion. I returned to the Catholic Church. The Catholic Church has the great idea of redemption. It seems to be getting lost in the world today.

Its leaders, I am not comparing myself to them, but its leaders most were people who reformed. St. Paul killed St. Stephen, the first martyr, and became a great Christian. St. Peter denied Christ. St. August led a life of attacking the Church, and repented and joined it.

Senator GREEN. But, in all those cases, they had not been Christians first and then apostate, and then again Christians.

Mr. BUDENZ. St. Peter reneged for a time.

Of course, I have always said, Senator, that I did not ask anyone to take my word alone, let the confirmatory evidence speak for itself. However, this is true—that I was attacked by Mr. Santos and his friend, and he had to seek refuge in Hungary after my testimony, and after the facts came out.

I was attacked by Mr. Peters bitterly, and he had to return to Europe.

I was attacked by Mr. Eisler, and he is back in the fatherland, and that was the most vituperous assault upon me. He had to return.

I may say that I have a certain record of public service—and that is without my testimony.

Senator GREEN. I don't mean to imply it is impossible, but all, I said, it should be very difficult to change to a different attitude of mind.

Mr. BUDENZ. It is not, because you understand, Senator, a Communist tells the truth except for the cause.

Senator GREEN. You mean, when you lose your confidence in the cause, you wouldn't lie for the cause, but if you believe in some other great cause, the same frame of mind might shift your lying for the cause.

Mr. BUDENZ. You have a check there.

Senator GREEN. What is that?

Mr. BUDENZ. You have learned already, (1) the fallacy of the Leninist morality. I mean, you have learned it vividly, what a degrading morality it is. You have learned thereby, one of the revolts against it.

Secondly, you have also had certain instruments at hand, namely—well, in my case, people have different instruments but in my case the Catholic sacrament.

In other words, I am able to say that after all I am a different man than 5 years ago.

Senator GREEN. Admitting all that, I should think it will be difficult to change from one type of mind to another. For instance, a child is brought up gradually and finds that lying is wrong, and it becomes abhorrent to him. Now, later in life, not talking about an individual, but in generalities, he has to learn that for a great cause which is above the ordinary questions of morality, it is right to lie because that justifies it, and I should think it would be very hard to lay that aside, if you were interested in some other great cause, it might be religion, it might be socialism, and not think it was justifiable to lie for that. That is my point.

Mr. BUDENZ. Not when you have embraced the philosophy which makes for truth, Senator, and the reason you embraced that philosophy is because you have found deceit on the Leninist basis to be incorrect.

Let us understand this, however, that the Communist does not use deceit every day. The whole idea that he is a psychopathic liar is ridiculous. What he does is to interpret events according to the Stalinist orders. From that point, he then proceeds to try to deceive others along the same line, but he may be, in his personal dealings, one of the most—as a matter of fact, many of them are the most straightforward persons, and that is the way they deceive people so.

In other words, this is different from the case of a psychopathic liar who just lies for the pleasure of it.

Senator GREEN. I can see that difference, but he would lie as to a fact, not an opinion, something that it is not possible to have two opinions about, such as whether the sun shone last Saturday or not, and if it served his purpose, I should think that for the great cause, he would lie about that, wouldn't he?

Mr. BUDENZ. Well, not when a man has changed his life in such a way as leaving communism means.

Senator GREEN. I mean, when he was a Communist, he would.

Mr. BUDENZ. When he was a Communist, he would do that which would serve the cause. Of course, he might do it shrinkingly, depending on how steeled he was, he might hesitate to do it, but he would have to do it.

Now, however, when he breaks with the Communists—I think myself the most truthful people in the world are the ex-Communists, on the whole, and for this simple reason: They have learned how utterly incorrect is the morality of Lenin, the morality of deceiving for the sake of the cause. They have learned that in pain and suffering.

I want to assure you, after thinking this was the great hope, after thinking this was the emancipator of the working people, thinking

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the perfect man was going to rise in Soviet Russia, when they see what has developed, then they certainly have a resurrection within themselves, on the whole.

Senator TYDING. I want to thank you for all your cooperation, Mr. Budenz.

(Whereupon, at 5:40 p. m., the subcommittee stood adjourned.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, APRIL 25, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to notice, at 7:30 p. m. in the caucus room, room 318, Senate Office Building, Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Senator McCarthy; Mr. Edward Morgan, chief counsel of the subcommittee; and Mr. Robert Morris, assistant counsel to the subcommittee.

Senator TYDINGS. The committee will come to order.

Who is the first witness, Mr. Morgan?

Mr. MORGAN. Dr. Dodd.

Senator TYDINGS. Dr. Dodd, before you are seated, will you hold up your right hand and be sworn?

Do you solemnly swear that the evidence you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. Dodd. I do.

Senator TYDINGS. Take a seat, please.

Senator McMAHON. Mr. Chairman, before the witness commences to testify, I would like to say that I made an engagement about a month ago to preside at a dinner at the Mayflower Hotel at 8 o'clock and I therefore will be obliged to leave at least by 5 minutes of 8, and I wanted the record made clear as to the reason for it.

Senator TYDINGS. Sorry you have to go, Senator.

TESTIMONY OF DR. BELLA V. DODD

Senator TYDINGS. Dr. Dodd, give me your full name.

Dr. Dodd. Bella V. Dodd, D-o-d-d.

Senator TYDINGS. And your place of residence.

Dr. Dodd. 235 West Seventy-fifth Street, Manhattan.

Senator TYDINGS. Have you an occupation at present?

Dr. Dodd. I am an attorney.

Senator TYDINGS. You are over 21?

Dr. Dodd. Unfortunately.

Senator TYDINGS. Go ahead with your statement, then.

Dr. Dodd, Senator Tydings and gentlemen of the committee, I have come here because you have summoned me. I am here to answer your subpoena and I will under oath give truthfully whatever information I have on the subject of your inquiry.

This committee has a right to know who I am and what is my background in order to judge my statements.

I was born of God-fearing, simple working people. I was the youngest in a family of 10. I was educated in the public schools and graduated from Hunter College in 1926. I did graduate work in political science at Columbia University and I obtained my law degree at New York University in 1930. On my graduation from college, I became a teacher. For 13 years I taught at Hunter College in the department of political science and economics. During my teaching career at Hunter College I was admitted to the New York bar. However, I continued to teach after my admission to the bar because I was particularly interested in the field of education.

I became politically active in the early 1930's. This was a period of great dislocation in our national economy and all thinking people were looking for solutions to the problems facing our country. I was deeply shocked by the conditions created by unemployment which faced so large a portion of our population. Like other public institutions the American schools also were in a bad way during this period and I became interested in taking action to save our schools and to improve the economic condition of the school teachers. I joined the American Federation of Teachers and began to organize for the New York locals. In 1935 my union asked me to serve as its legislative representative because of my knowledge of public affairs and my ability to draft a legislation.

So convinced was I that organized labor was the strongest arm in support of education that I resigned my position from the staff at Hunter College to take a job as a teachers' union official (even though the salary was considerably less than I earned as a teacher).

From 1935 to 1943, I devoted most of my efforts to organized labor. When you are involved in the labor movement, there are so many ramifications into which you are drawn, that it is hard to explain or comment upon them. In 1936, I took part in the organization of the American Labor Party, set up initially by the unions, for the reelection of President Roosevelt. I continued to function in the American Labor Party as an official until 1944. I ran for public office on that ticket. I functioned in the struggle against fascism because I had seen it in action in Europe at the beginning of the 1930's, at which time I visited both Berlin and Rome.

In 1932 I became acquainted with leaders of the American Communist Party who were organizing anti-Fascist organizations. After my trip to Europe, I was so convinced that fascism meant the destruction of our moral values, that I cooperated with the Communists on various projects to build an anti-Fascist movement.

With the creation of the CIO in 1936, I became involved in the struggle for unity in the labor movement and for the expansion of trade-union organization. There were Communists in most of the organizations in which I worked—whether building the CIO, the American Labor Party, the fight against retrenchment in education, the fight against Fascism, and the struggle for peace. I learned to respect many of the Communists as effective fighters for these projects.

I was so much concerned with the immediate objectives that I did not stop to think of the ultimate values. Everywhere I found that when Communists supported you they were effective allies. This affected me particularly during the years 1938, 1939, and 1940, when a violent attack was made upon education in the State of New York characterized by severe retrenchment in budgetary appropriations. I needed the help of all the allies I could get.

During this period, I was trusted by the Communists and invited to many of their meetings. I frequently consulted with their leaders who had experience in the trade-union movement. I, in turn, was called upon by them to give opinions and analysis of public affairs. I came to know Earl Browder, Jack Stachel, Bill Foster, and many others in the top leadership of the Communist Party.

The period of the war brought increased cooperation with the Communists through every progressive organization. I can truthfully say that the Communists were hard workers in building national morale for the winning of the war.

Toward the end of 1943, I agreed to join the Communist Party and to take a post in the organization. At that time, because of the co-operation between the Allies, that is, the United States, England, Russia, and China, and because there was projected a continued cooperation in the postwar period, I felt that it was extremely important to devote my energies to what I then believed to be a vital organization for national unity. I made arrangements with my union to be released from my position as legislative representative, and from all other posts, because I felt that that was the honest and fair thing to do to my union.

During the period of the national front, that is, during the war period, I had been drawn close to many Communist leaders because of my broad interests in politics, labor, and education. I served as associate editor of the *New Masses*, which was a weekly publication under the guidance of the Communist Party. This publication devoted much space to international affairs and I frequently sat in on such discussions.

After I joined the party, I became legislative representative for New York State. I served on many national committees. These dealt with such subjects as legislation, politics, labor, international affairs, taxation, and finance. In 1944, I became editor of a publication called the *New York State of Affairs* which was devoted to an analysis of the functioning of our State government. I was elected to the New York State Committee and to the New York State Board, which is the highest executive group in New York State. In the summer of 1944, I was elected a member of the national committee of the Communist Party. I was given this position because of my long service to the labor movement.

The year 1944 was one I will long remember. I was chiefly assigned to the national election campaign and to legislative work in Washington and Albany.

From 1932 to the attack upon Pearl Harbor, one of the questions which the Communist Party constantly stressed was that of peace. As a political scientist, I spoke and wrote on this question frequently, first as a nonparty member and later as a party member. I was deeply conscious of the fact that China, with the occupation of Manchuria

by the Japanese and with her continued internal civil war, was a focal point of infection for spreading the war to the rest of the world. During this time I sat in on many conferences and meetings with party leaders on international affairs where China and the Far East were discussed. In 1945, I had the pleasure and task of entertaining three Chinese delegates to the San Francisco conference. These men were part of the Chinese united front and were appointed by Chiang Kai-shek to represent China at the San Francisco conference. As I remember, one of them was secretary to Mao Tse-tung, one was the editor of the Shanghai Daily Worker and the other was a former president of the Chinese Teachers' Union. I might say here inferentially that they did not think very highly of the Institute for Pacific Relations. They referred to it as a vehicle for either British or American intelligence. I remember entertaining these gentlemen the evening of October 8—which was my birthday.

Senator TYNDALL. What year was that?

Dr. DORN. 1944.

We went to a night club and they each wrote me a message of good wishes in Chinese. I have one of the cards still and I offer it for your committee files.

From 1945 on, I found myself in increasing opposition to certain policies of the American Communist Party. I did not resign or leave its membership in a blaze of publicity. Instead, I struggled against what I felt were wrong policies. These were difficult and tragic years. As a result of my struggles during a period of over 4 years—from 1945 to 1949—I was expelled from the Communist Party in June of 1949 after unwarranted and slanderous charges had been preferred against me.

I am not now a member of the Communist Party and I have no ties with it whatsoever. Indeed, I am not a member of any political group. I am one of the increasing army of Americans who are independent in politics.

The period since my expulsion has been one of severe hardship morally, physically, and financially. The campaign of slander and the smearing of my name by the Communists has caused me untold agony and harm. Indeed, I want to forget the entire episode.

It is painful for me to come here today. I do so only in the firm belief that no one has the right to remain silent when injustice is being done to anyone. I do so also because I believe that the security of our country is being menaced by irresponsible forces which would provoke a holy war which can well result in the complete destruction of our civilization.

I had never met Owen Lattimore before the press made me shake hands with him here tonight. In all my association with the Communist Party I never heard his name mentioned by party leaders or members of the party, either as a party member or as a fellow traveler or even as a friend of the Communist Party.

Since this controversy started, however, I have read Owen Lattimore's two most recent books, namely, Solution in Asia, published in 1945 and The Situation in Asia, published in 1949. To me, these are scholarly works. However, I must call your attention to the fact that neither of these books represents the Communist position on China. Anyone who thinks that they do, either has not read these books, or is a political illiterate—or has a special stake in creating confusion.

If you read the books, you will find that Owen Lattimore makes a plea, as a capitalist, for an orderly relationship with China so that trade with American business can rapidly be established. Lattimore calls for the building of a Chinese middle class, and like all those who established capitalism in the western world a century and a half ago, Lattimore is impatient with the backwardness of the feudal regime represented by the Kuomintang and Chiang Kai-shek. Lattimore calls for a program much like that followed by the British in India. This position is contrary to the Communist position. Indeed, it is anathema to the Communists.

I am profoundly disturbed by the technique used here by Senator McCarthy and his witness Louis Budenz—of destroying confidence in the ability of our Government to deal with the present world crisis. I think we might all give support to the statement made last night by President Truman when he said to my colleagues in the legal profession—

In short, we are not going to end democracy. We are going to keep the Bill of Rights on the books. We are going to keep those ancient, hard-earned liberties which you lawyers have done so much to preserve and protect.

If we all work together to maintain and strengthen our democratic ideals, communism will never be a serious threat to our American way of life.

This is important—

The example we set for freemen everywhere will help roll back the tide.

The technique currently used to destroy people is to declare them guilty by association.

Character assassination is an evil thing no matter who uses it or when. It is a tactic which present leaders of the Communist Party have used upon me and against others. Mr. Budenz, by what I am compelled to consider dishonest testimony, has adopted the same tactic.

It has been my privilege in the years I served in the labor movement and in various political struggles, to have personally known both of the Senators from New York who now are your colleagues, Senator Ives and Senator Lehman. I often discussed political questions and legislative questions with Senator Lehman—when he was our Governor. On many questions we agreed—on some we differed. He cannot be called a Communist because he talked with me.

I fought Senator Ives when he first introduced loyalty bills in Albany, but I later worked with him in support of a decent educational budget and sound labor laws. I supported him in his fight for FEPC and for merit rating. Did this make Irving Ives a Communist?

I have known Governor Dewey from the very inception of his political career in New York. I served on a committee to insure his election as district attorney and had the occasion to discuss social and legislative questions with him. Does this make Tom Dewey a Communist?

I have a high personal regard and affection for our Lieutenant Governor, Joe R. Hanley, as a Republican. Does the fact that our personal relations were good and that he frequently gave me advice, make him a Communist?

I am reducing this question to absurdity because I do not believe that "guilt by association" belongs in American public life.

I have here a batch of letters, 14 or 15 letters. Unfortunately, I had to sell my house this year and a lot of personal material was destroyed. These letters were sent by various public leaders from both parties on the occasion when I resigned from my official position in the teachers union. Here is a letter from Herbert Rapp, a Republican, chairman of the Rapp-Coudert committee—a committee to investigate budgets and communism in the New York Public Schools—in which he states in part:

I first became acquainted with Dr. Dodd when I became chairman of the Rapp-Coudert committee, and in the 4 years that I have held this position, I have had occasion to contact Dr. Dodd on a great many occasions and would like to say that she has always been fair in presenting her view; and while at times we did differ, I have always found her very sincere and her word with me has always been as good as a certified check.

I am very proud of that statement by Mr. Rapp.

Does this make Mr. Rapp, who was a chairman of a committee to investigate communism, a Communist?

This batch of letters which I now put into the record is only a small part of the evidences of my cooperation and association with men and women of all parties on particular issues. It is fantastic that anyone should be called a Communist merely because he either spoke to, associated with or agreed with me on specific questions. (Exhibit 79.)

It would be absurd to imagine that any of these men have Communist leanings. They've expressed themselves against communism repeatedly. But in politics and in the labor movement, the discussion is hardly ever theoretical. People work together for immediate objectives regardless of party designation.

Now I would like to say a few words about Mr. Budenz. I knew of Louis Budenz in 1935 when he left the Labor Age, a radical labor sheet published by the so-called J. A. Muste group in Chicago. I remember when he was employed by the Daily Worker, and wrote its labor column. As a trade-union functionary I read the labor reports in the Daily Worker as I did other newspapers. Louis Budenz was sent to Chicago toward the end of 1937 to publish the Midwest Daily Record. He remained in Chicago until 1940 when the paper collapsed. Therefore, I do not see how he could have had any so-called directives about Lattimore during this period when he was in Chicago.

Budenz returned to New York in 1940 and was employed by the Daily Worker. To the best of my knowledge he did not become managing editor of the Daily Worker until the end of 1942 or early in 1943. If Mr. Budenz will refresh his recollection he will recognize that he was in error when he testified on April 20 before this body that he became managing editor of the Daily Worker in 1940. He may be confused because in 1940 he was made president of a dummy corporation called Freedom of the Press which established the Daily Worker as a corporation separate and apart from the Communist Party. This did not make him managing editor, however. All of you lawyers know how dummy corporations are set up in offices.

Budenz and I were both elected to the national committee in the summer of 1944 at the national convention. I remember Louis Budenz as an ineffective man who seldom took any part in the deliberations of the national committee. I cannot bring into focus many of the things he says about the Communist Party.

For instance, his statement about Jack Stachel is laughable to anyone who knows the party. Stachel was assigned to trade-union matters at the time Budenz testified that Stachel was giving him names to be remembered and instructions regarding Professor Lattimore.

Further, the Budenz testimony that Stachel shaped party policy on orders from Moscow and through various underground leaders—is to my knowledge ridiculous. Policy was shaped by the political committee—now called the national board—and directives, if any, were given by Earl Browder, the secretary of the party.

In reference to the 1,000 names which Mr. Budenz claims Stachel gave him to memorize—I ask only one simple question, as a former school teacher—who among us could even contemplate such a feat of memory. I'd like to test Mr. Budenz on this by picking 1,000 names at random from any telephone book and giving him a month to memorize them. Like most of us, I think he would flunk the examination.

This is not an endorsement of Mr. Stachel's work in the Communist Party because I have stated previously that one of the reasons for my expulsion from the party was because of opposition to its recent labor policies.

Mr. Budenz says that Professor Lattimore was mentioned in secret party memoranda as L or XL. This is playing cops and robbers with a vengeance. In the first place, I never saw an onionskin document such as Mr. Budenz says he was told to flush down the toilet. In the second place, if Professor Lattimore had been as close to the party as Budenz claims, he would have been asked to come to party headquarters for his instructions. Third, whatever errors we made in the Communist Party we did not fall into the habit of taking our methods from dime detective stories.

Again, I repeat I never heard Owen Lattimore's name mentioned at any time in connection with management of the party.

During my 14 years of association with the Communist Party, first as a fellow traveler, and then as a member and a functionary, I did not find within it the atmosphere of secrecy and conspiracy which Louis Budenz talks about. It was quite a normal thing for me to see non-Communists and Communists associate themselves together in the interests of common causes, and no one in the party group objected to this.

As for the exercise of discipline on nonparty members, this simply is not true. The cooperation of nonparty members was solicited either by discussion or persuasion. If this failed, we broke with them openly, sometimes rather harshly through the press, but there was no such thing as exercising discipline.

Though I met with Earl Browder and subsequently with Bill Foster on many occasions, I was never given any typewritten instructions as to what to do, and I certainly was never given any instructions about discipline for a nonparty person, as Louis Budenz claims he got in reference to Lattimore.

Further, Louis Budenz indicates that Lattimore was in a Communist cell in 1944. Party fractions were abolished in 1939. In 1944 the structure of the party consisted of big street branches and trade-union clubs, which were public and open to everyone. Cells were unknown in 1944.

Perhaps the most reckless and, certainly to a Communist, the most absurd statement Mr. Budenz made in his testimony before this committee is that Professor Lattimore and other under cover party members were given special dispensation to publicly oppose the party line. In particular reference to Lattimore, Budenz states that such a dispensation may have been given him to support the drive for Finnish-aid funds during the Russo-Finnish War, and presently to others, to support the Marshall plan. I can say from my own knowledge that any Communist Party member or friend of the party who helped the Finns in the war with the Soviets would have been instantly denounced and driven from the circle. This is also true of support for the Marshall plan at the present time. Let us reduce this to its ultimate absurdity, gentlemen:

Mr. Budenz states that all Communist Party political directives come from Moscow. With the known stubbornness of Stalin, Molotov, Gromyko, and the others, can it be imagined that they would consent to allow a voice as powerful as Professor Lattimore to be raised against them?

Further, Budenz stated that Lattimore was told to speak of the Chinese Communists as agrarians much like the North Dakota Non-Partisan League. I just don't know where Mr. Budenz got that. If Lattimore was told to treat the Chinese Communists in this way, nothing in the literature issued by the Communist Party to its own members betrays this directive. I am familiar with the literature on this question, and nowhere, as I recollect, was this expression used. Indeed, it is contrary to Communist thinking on the organization of a Communist Party which emphasizes the importance of an industrial core of workers rather than an agrarian basis for party organization.

When I was originally approached by Mr. Wellington Rowe, an attorney, to testify in this hearing to give Mr. Lattimore's attorneys an affidavit, I was reluctant to do so because since my expulsion from the party I have been trying to live a private life, to think out anew my whole approach to political questions and to devote myself exclusively to my family and to my profession.

However, it is a sad time for our country if the fate of our public men must rest on statements by men who are at least reckless and perhaps unscrupulous. Public officials are practically being asked to present their loyalty certificates not only from the FBI but also from Budenz or men like him.

Smearing of public citizens has become a greater racket in the United States than horse racing or gambling and almost equally profitable for the individuals engaged therein. Decent men and women are harassed until the value of their special knowledge is lost to our Nation. They are hounded and driven out of public life by parasites.

Now, I have respect for honest differences of political opinion which places a man or a woman in or out of different political parties, or on opposite sides of public questions. However, I have no stomach for those who join an organization, stay a few years, leave it and thereafter make a career of denouncing those they once called their friends. This observation stands for Communists, Republicans, Socialists, or Rotarians.

The present violent concerted attack upon leaders of our foreign policy by an organized group for whom Senator McCarthy appears to be the spokesman and Louis Budenz the finger man, bears careful study, and, indeed, to my mind investigation. If this is not done, no one is safe who disagrees with their program. Senator McMahon believes in negotiation and international control of the atom bomb. Senator Tydings believes in total disarmament. Anyone who is for disarmament—for a negotiation for peace and for a limitation of war budgets is in danger of attack by this group.

When I saw the reference to General Marshall, I would believe almost that this group will attack even the President of the United States.

The American people are not as crazy or as gullible as Mr. Budenz thinks. The American people want their country strong and prepared—but the American people want a realistic program for peace.

I trust, and indeed I pray, that the members of this committee will, in their deliberations, base their conclusions upon facts and not fantasy. I have infinite faith in the vitality of our Government and our country. We are not a sanctimonious people but we are a moral people. Therefore, I know that you will not permit honest public officials or prominent citizens to be destroyed by irresponsible allegations. Nor will you permit public policy to be shaped by those who would bludgeon you with fear. The stakes in this controversy are the future of our country and the peace of the world.

Senator TYDINGS. Mr. Morgan?

Mr. MORGAN. Mr. Dodd, I believe your testimony, particularly in pertinent part, was to the effect that during your period of association with the Communist Party, you did not hear Dr. Owen Lattimore referred to in any manner, is that correct?

Dr. DODD. No.

Mr. MORGAN. Again, I realize you have it in your statement, will you give me the exact date that you entered the party, if you recall it?

Dr. DODD. I joined the party—there were no definite moments or moment at which I joined the party. I agreed to join the party at the end of 1943, and I was actually working in the Communist Party by 1944 as a functionary.

Mr. MORGAN. To the end of 1944?

Dr. DODD. No, the end of '43, I agreed to join, and I disentangled myself from other commitments and began to function and joined the Communist Party in 1944.

Mr. MORGAN. You were expelled from the party, at what time?

Dr. DODD. June 1949.

Mr. MORGAN. Would you care to elaborate on the circumstances attending your expulsion?

Dr. DODD. I don't think they are pertinent to this particular inquiry because it is a case of differences of opinion between myself and other members of the Communist Party on many questions, including the questions of war, peace, labor, the question of organizing the Progressive Party, and various other questions of that kind. There were a multitude of questions on which I found myself in real difference with the Communist Party.

Mr. MORGAN. You are not now a member of the party?

Dr. DODD. I am not a member of the Communist Party and have no ties with it whatsoever.

Mr. MORGAN. Are you ideologically a Communist?

Dr. DODD. That is a difficult question. I still believe in the things that drove me into the Communist Party. I believe in the brotherhood of man. I believe we should not have unemployment. My belief in peace is still there, but there are many conclusions that I have drawn now which are different from the ones I drew in 1944, when I joined the Communist Party.

I am no longer ready to permit myself to be a part of the organizational structure, such as the Communist Party has.

Mr. MORGAN. I realize it would be difficult to answer that question, perhaps, yes, or no.

I would like an answer a little closer, if I may. I think you appreciate the tenets of the Communist Party, and the ideological principles, and I would like to ask you again if you subscribe to those principles, ideologically, now?

Dr. DODD. I believe in a program for peace, against unemployment, and so on. I do not believe that these can be achieved by the organization of a minority party. I think that these may be achieved by uniting the people of the various political parties and various political groups.

Is that closer?

Mr. MORGAN. It helps a little, Doctor. What I have in mind particularly, is—let us approach it this way: I believe that we can make the comment, in view of the trial in New York not so long ago, and can generally accept the principle that the Communist Party is dedicated, I believe, to a revolutionary approach in this country, relative to American institutions. Do you subscribe to that principle?

Dr. DODD. I do not, sir.

Mr. MORGAN. Did you ever?

Dr. DODD. I never did.

Mr. MORGAN. Now, Dr. Dodd, in your statement there was something that intrigued me a little, and that was your comment about this disdain, I believe you said, for one who leaves his former associates or colleagues and then informs concerning them.

Now, knowing, as you probably do, or did know, the purposes of the Communist Party in this country, I would like to ask you if you feel that that is altogether an unworthy motive on the part of one who breaks with the party and seeks to acquaint the American Government with the dangers inherent in the party?

Dr. DODD. There is nothing which we should not do to preserve our American democracy. I begin that way. If there is danger to our Government, I think it is the obligation of every citizen to do everything within his power to protect it.

I do not believe, however, that people who systematically make a practice and a profession of informing on their past associates, whether they remember things or do not remember them, is a very worthy technique.

Mr. MORGAN. You were a member of the party for a period of some 5 years. Have you at any time informed any agency of this Government, of information that might be pertinent concerning the Communist conspiracy in America?

Dr. DODD. That is a difficult question to answer. I have not informed anyone of any Communist conspiracy. I was not aware of the existence of such a conspiracy.

Mr. MORGAN. Well, I do not care to pursue that particularly, Dr. Dodd. But, back to the other questions: Have you acquainted any official agent or agency of this Government with the identities of any Communists whom you knew while in the Communist Party in this country?

Dr. Dodd. I have not.

Mr. MORGAN. Have you written any exposé, or any articles, or any book concerning your association with the Communist Party?

Dr. Dodd. I have not written any exposés. I have, for my own benefit, written a political analysis of my time in the Communist Party, but that is not an exposé. I do not consider that my function in life.

Mr. MORGAN. Has that book been published?

Dr. Dodd. No; and do I intend to publish it? No.

Mr. MORGAN. Did you make any arrangements to have it published?

Dr. Dodd. I did not.

Mr. MORGAN. You have made no arrangements to have it published?

Now, Dr. Dodd, I believe in his testimony before this committee Mr. Budenz referred to a meeting in the year 1937 in New York City, attended by Trachtenberg, Browder, and other top party functionaries, at which the concept of seeking to influence the attitude, our attitude toward the Chinese Communists was adopted, with the idea of painting them as agrarian reformers, such as the North Dakota Nonpartisan League.

You have an observation in your statement here that interests me very much, and I would like you to elaborate on it, if you can. The import of your statement is that Mr. Budenz was not in New York City at that time, but was in Chicago, Ill. Can you help us any on that?

Dr. Dodd. Mr. Budenz was sent out to Chicago, Ill., at the end of 1937. I do not know the date to which he refers, as to the meeting he described, but he was sent to Chicago at the end of 1937 and remained there until 1940.

Mr. MORGAN. I believe the best approximation he gave us was the month of October—

Dr. Dodd. I could not put my finger on the month that he went out to Chicago. I wasn't that close.

Mr. MORGAN. You were not in the Communist Party at that time, so you would not know anything about that meeting; is that right?

Dr. Dodd. I used to read the Daily Worker and Mr. Budenz wrote the labor column for the Daily Worker at that time, and I knew when he went to Chicago, because there was an interruption to his writing it.

Mr. MORGAN. What I meant was, inasmuch as this was rather a rather closely held meeting, as the testimony would indicate, and necessarily, would not be reported in the Daily Worker, my point is, at that time, in 1937, you were not in the Communist Party?

Dr. Dodd. No; but I was working closely with it.

Mr. MORGAN. Presumably, you would not have known of the meeting of high Communist functionaries; is that correct?

Dr. Dodd. That is correct.

Mr. MORGAN. Now, in 1944, I believe, or was it 1945, you were placed on the national committee?

Dr. Dodd. In 1944, both Mr. Budenz and I were elected at the same time to the national committee.

Mr. MORGAN. Did you ever get on the national board?

Dr. DODD. No; I did not.

Mr. MORGAN. Was Mr. Budenz ever on the national board?

Dr. DODD. Never.

Mr. MORGAN. To your knowledge, was Mr. Budenz ever permitted to sit in on meetings of the national board—do you know that?

Dr. DODD. Mr. Budenz, like many others who worked for the Communist Party, would be called in from time to time on specific questions, to listen to a discussion of the question but, as far as the right to attend these meetings, he did not have that right.

Mr. MORGAN. Now, of course, I do not like to pursue Mr. Budenz' testimony, but you have brought it up in the statement, and therefore I am going into it somewhat at this point.

I would like to ask you, Mr. Dodd, if, by reason of his position with the Daily Worker, and his responsibility as an editor there, it would appeal to you as logical or illogical that he would be acquainted with the names of various individuals whom he might be called upon to treat with, or whose writings he might be called upon to treat in the Daily Worker?

Dr. DODD. That is not possible, for this reason: The editor of the Daily Worker was never a member of the national board until June of 1947. That was the first time we elected the editor to the national board, and Mr. Budenz was not an editor at that time, he was out of the Communist Party; nor did the Communist Party leadership go around just handing out names of people, either of friends or anyone else. It is a very unheard-of thing.

Mr. MORGAN. Are you suggesting in your statement, Dr. Dodd, that the Communist Party does not have individuals who are ostensibly non-Communist, but who are in reality Communists, doing an undercover job for the party, let us say?

Dr. DODD. I am not suggesting that at all, but I don't have to state it the way you stated it.

Mr. MORGAN. I ask you, how would you like to state it?

Dr. DODD. There are people who are members of the Communist Party who are not known and do not tell people they are members of the Communist Party. This does not mean they are agents or that they are doing a job for the Communist Party. For instance, a person may be employed by a firm which is anti-Communist, and that person has come to the conclusion that he believes or is a believer in communism, and he does not let his employer know he is a Communist. That is just one of the natural things that has happened because of the unpopularity of this political opinion. It is not anything new in history. I remember the day when people, who organized trade-unions, used to carry their trade-union card in the soles of their shoes, and wouldn't let their bosses know they were trade-unionists.

It is all a development of political ideas, a development of social ideals.

Mr. MORGAN. You have referred here in your statement to the position of Jacob or Jack Stachel, suggested that his function was primarily in the labor movement, and that it would be highly unlikely that he would be a liaison man, let us say, between the national board or the political committee and the editor of the Daily Worker. Are you certain of Mr. Stachel's function in that regard?

Dr. DODD. Yes.

Mr. MORGAN. There was no doubt in your mind?

Dr. Dodd. No doubt in my mind, because I consulted with Jack Stachel any number of times on labor questions during that period.

Mr. MORGAN. I have just a couple more concluding questions. You say you have never seen, at any time, any of these reports submitted on onionskin, referred to by Mr. Budenz; is that correct?

Dr. Dodd. Unless they were interdepartmental communications, you know, unless you sent a memorandum on down from the ninth floor to the fifth floor saying, "We want three more pads of paper," or something of that kind. I have never seen any—any messages of that kind which were confidential and which you had to be secret about.

Mr. MORGAN. Do you regard, Dr. Dodd, the Communist Party of this country as a fifth column, inimicable to the security of the United States?

Dr. Dodd. Well, political parties differ at different periods of their lives. The Republican Party in 1860 was a different institution than the Republican Party of today. The Communist Party during the period I was in it was, I think, an effective instrument for helping to win the war, and to establish building-trade unions. I have not been in the Communist Party for over a year. I was in disagreement with many in the party during the period of 4 years preceding that. I cannot speak with authority about what the situation is today.

If the Communist Party becomes sectarian, or a narrow group which meets in private, and meets in secret, then I think it is inimicable to the interests of the country. If, however, espousing the meaning of communism, that is, the brotherhood of man, they go out and meet with the public and work with other political parties, I do not believe it is inimicable to the welfare of this country. It depends upon who is running the party.

Mr. MORGAN. Well, what do you mean by that?

Dr. Dodd. Well, it depends upon the ideals of the people who shape its policy.

Mr. MORGAN. Has that changed materially in the last 10 years?

Dr. Dodd. It certainly has, it changed very materially in the spring of 1945.

Mr. MORGAN. In what respect?

Dr. Dodd. Well, there was a total change or shift in policy.

Mr. MORGAN. What are you referring to specifically, there?

Dr. Dodd. At that time, at the end of the war there was a complete shifting of policy as to international relations, and on other questions; a new leadership was selected.

Mr. MORGAN. You mean who specifically went out and who came in?

Dr. Dodd. Earl Browder went out and Bill Foster came in as the chairman of the party.

Mr. MORGAN. Why did Browder go out?

Dr. Dodd. He was expelled.

Mr. MORGAN. For what reason?

Dr. Dodd. Well, the members of the Communist Party felt he had followed a collaborationist party policy of working with other groups, and he projected a too soft policy for the postwar period.

Mr. MORGAN. Well, would you, or would not suggest then that from 1945 forward, the Communist Party had been more or less inimicable to the best interests of this country than it was before 1945?

Dr. Dodd. Well, I would say before the period 1945, because the Communist Party was going along with the main stream of the de-

velopment of the history here in this country, the building of the CIO, the building of the trade-union movement, the building of social security, and things of that kind, and the support of a war against fascism—in those the Communist Party played a very fine role.

With the end of the war in which the readjustments which we had to make for peace, both in this country and the readjustments we had to make on the foreign-policy front, the Communist Party began following a policy which seemed to me too narrow a policy, a policy too much committed to the support of what they thought was the support of the Soviet Union.

Mr. MORGAN. Dr. Dodd, is there a serious doubt in your mind but that the Communist Party in this country is an extraterritorial arm of the Soviet Union?

Dr. DODD. I don't think that is a good statement.

Mr. MORGAN. I would like your statement on that.

Dr. DODD. I think the Communist Party very foolishly attempts to be the public relations center or publicity center for the Soviet Union. Whether you like the Soviet Union or not, it does not have to depend upon that little gathering of 30,000 people down on Thirteenth Street in New York for its public relations, and I think that we do the Soviet Union an injustice when we think of it in connection with just the American Communist Party. I think that the one good thing you can say about the Communist Party is that they do believe in socialism, which means equality of opportunity for all.

Mr. MORGAN. I shall not pursue that—

Dr. DODD. Let me say one thing more, Mr. Morgan, if I may. I do not believe the Communist Party, for instance, is the spy front. I put no credence in that at all, the spy front or the intelligence service for the Soviet Union. I might say, if you gentlemen were running the Soviet Union, would you choose that group of people down on Twelfth Street, in the Communist Party, for the intelligence service? I would not.

Mr. MORGAN. You mean their activities, political—

Dr. DODD. Oh, there are people here in America who have certain political opinions, principles, and ideas but they are not competent to serve as either public relations centers for the Soviets or a great country—whether you like the Soviet Union or not—they are not competent to serve either as a public relations center or as the intelligence center.

Mr. MORGAN. Dr. Dodd, I am a little reluctant to ask this, but I want to know in view of what you said, I think all of us have a great concern about the possibilities of armed conflict at one time or another, and I would like to ask you, on the basis of your membership in the Communist Party, as to where you believe the loyalty of the Communist Party members would lie in event of war with Soviet Russia?

Dr. DODD. I think that you would have to split there. I think you would have some who would feel that their loyalty lay with the Soviet Union, and I think that you would have a large proportion who would find that their loyalty was with the people of their own country.

Mr. MORGAN. To repeat—

Mr. DODD. I do not think that you can generalize about that.

Mr. MORGAN. I think that you have made rather clear your thinking on that score.

Now, a further question by way of repetition of another question: You have not cooperated, or have not passed on to any agency of this Government or an agent of this Government any information concerning communism, or the Communist Party in this country, is that correct?

Dr. DODD. I have not.

Mr. MORGAN. You considered writing an article, or a book concerning your association with the party, but you did not do it. Why did you not do it?

Dr. Dodd. I did write it, but the writing which I do, Mr. Morgan, is political analyses and your various publishers and various publications are not interested in political analyses. They are interested in the same thing that Senator McCarthy has been interested in. They are interested in scandal. I am not interested in purveying scandal. I am interested in serious political thinking. I want to point out where I have made errors, where the Communist Party was perhaps in error, where it has been detrimental to our country and where it has helped to further our country. That is the only kind of thinking you can do, if you are a scientist.

Mr. MORGAN. I gather then that the reason you did not publish your work was because you did not think it would sell, is that it?

Dr. Dodd. I did not think anybody would be interested in that, at this particular phase of history.

Mr. MORGAN. Thank you, Dr. Dodd. That is all that I have at the moment.

Senator TYDINGS. Senator Hickenlooper.

Senator HICKENLOOPER. I again renew my request, Mr. Chairman, if Mr. Morris has any questions, whether the committee would like to have him ask those questions.

Senator TYDINGS. I would prefer to take that up in executive session. I think it has been decided. I would not want to pass on it, because I know what happened today and I would not want to get into another row. I will be glad to do it at our next meeting.

Senator HICKENLOOPER. After my very general discussion of what happened today, I would not want to create the impression that we had a row.

Senator TYDINGS. The row was on the floor, not in the committee room.

Senator HICKENLOOPER. Yes; I do have some questions.

Senator TYDINGS. Go ahead, help yourself.

Senator HICKENLOOPER. Dr. Dodd, do you believe the Communist movement in the United States is associated with the Communist movement of Soviet Russia?

Dr. Dodd. Oh, I think the Communist movement in the United States draws its lessons from socialism, which is indigenous to Russia and which is being established in China.

Senator HICKENLOOPER. Do you believe that the Communist, the real Communist, in the United States accept their direction and the control of their political policies and their party-line activities from Moscow?

Dr. DODD. Moscow?

The Soviet Union is a country which has established socialism, and it is a very natural thing for people who belong to the Communist Party to take their guidance on international questions from the coun-

try which established socialism, since this party in the United States professes belief in socialism.

Senator HICKENLOOPER. May I renew my question? Do you believe the Communist Party in the United States takes its guidance in the party-line activities, in its policies and philosophies, from the Kremlin? You may call it Politburo, Moscow, or the Kremlin, or from Russia.

Dr. Dorn. I say to you that on questions which deal with New York City or with the United States the Communist Party makes its own policies. The national board discusses things and makes its own policy. On international questions, it is very natural that the Communist Party of the United States should follow the policy of the Soviet Union.

Senator HICKENLOOPER. May I renew my question? Do you believe that the Communist Party of the United States takes its direction and control from Moscow?

Dr. Dorn. I think sometimes it does and sometimes it does not; on certain questions it does, and on certain questions it does not.

Senator HICKENLOOPER. Do you believe that if the Communist Party in the United States refuses to follow the party line as laid down from Moscow and by Moscow--I mean the old Communist "apparatus" in Moscow--do you believe that the Communist Party in the United States, if they refuse to do that and if it continues, will be an accepted branch of the Communist Party?

Dr. Dorn. Oh, I have known the Communist Party to refuse to do certain things which the Soviet Union wanted them to do, and they have discussed the questions. In the old days, we used to hear about the leaders going back and forth from Moscow to the United States, I assume--although I was not in the party then--I assume that they traveled back and forth to clear up questions of policy.

Senator HICKENLOOPER. May I renew my question once more, and I hope to get a direct answer.

Dr. Dorn. I am not trying to be vague.

Senator HICKENLOOPER. You are an intelligent woman--

Dr. Dorn. Thank you.

Senator HICKENLOOPER. And I think that a straightforward answer to that question would be very helpful to the committee, and that is: Do you believe or think that the Communist Party in the United States receives its direction and its orders in general from Moscow?

Dr. Dorn. If you use the words "directions" and "orders," I must say, "No." If you use the question "Is it inspired and does it follow the principles in Russia," the answer is "Yes."

Senator HICKENLOOPER. Do you believe that the Communist Party of the United States, therefore, aspires to the political aims and aspirations of the Kremlin, or the Politburo in Moscow?

Dr. Dorn. The Communist Party of the United States is looking to take over the United States Government just as the Republican Party is looking to take it over in this next coming election. They would like to be the ones in control.

Senator HICKENLOOPER. Did you, as a Communist, take an obligation to Stalin?

Dr. Dorn. My heavens, no. I never took any oath to anybody except my oath to support the United States, when we pledged allegiance.

There is no such thing as that oath. I notice that Mr. Budenz made that statement. There is no such oath to Stalin or anyone else. I have never seen anything of that kind.

Senator HICKENLOOPER. Have you been a member of the Politburo or the central political control organization of the Communist Party in this country?

Dr. Dodd. I was a member of the national committee. That is the policy-determining body. That is a sort of legislative body. I was not a member of the national board, or the political committee or the Politburo, as you call it.

Senator HICKENLOOPER. Is that a higher authority or authoritative body than the national committee?

Dr. Dodd. That is the executive; the other is the policy-making body.

Senator HICKENLOOPER. Which is the executive and which is the policy-making?

Dr. Dodd. The Politburo is the executive. The national committee is the highest policy-making body.

Senator HICKENLOOPER. How many members are in the policy committee?

Dr. Dodd. It varied between 50 and 70.

Senator HICKENLOOPER. Dr. Dodd, who induced you to join the Communist Party?

Dr. Dodd. Gilbert Green, who was then the district leader of the New York Communist Party. He heard me make a speech at Albany on the budget; and, since I had been working with the Communist Party right along, he came to me and said that Si Gerson, who was then a legislative representative, was leaving to go in the Army, and would I come in and work with them and become a legislative representative at that time, and I said, "Sure."

Senator HICKENLOOPER. Dr. Dodd, do you believe that the Communist movement in the world, centered in Moscow, has for its objective the taking over of the dominions of all the nations of the world under the Communist philosophy?

Dr. Dodd. I believe the objective of the people in the Kremlin is to make the world Communist.

Senator HICKENLOOPER. And, in making the world Communist, do you believe that they advocate the centralization of control of communism in the world, in Moscow?

Dr. Dodd. That is a theoretical question that I cannot answer. If the answer to that is "Yes," I myself would be opposed to it.

Senator HICKENLOOPER. Do you believe that there exists in this country a Communist conspiracy to take over the Government of the United States either by stealth or by political activity?

Dr. Dodd. I believe that there is a firm determination on the part of Communists to take over the Government of this country; yes, but not by stealth or by guns.

Senator HICKENLOOPER. Do you believe that there exists in this country a conspiracy in communism; that it is a conspiratorial operation in which they operate in secret, through secret agents, and use surreptitious means to gain their ends?

Dr. Dodd. If we have investigations like Senator McCarthy is causing to be made here, and terrorization, you are going to have more and more secret work on the part of these people who have an un-

popular political opinion. Necessarily, if you are trying to drive certain people, or limit their activities, they are going to go underground and become more and more secret and conspiratorial. It is for that reason that I believe in exactly the opposite. I say, let the Communist movement be free and you will be surprised how limited it would be, because it takes a great deal to take over a country like the United States. You have to deal with a lot of people.

Senator HICKENLOOPER. Let us leave Senator McCarthy as an individual out of this for a moment.

I would ask you if you believe that the Communist movement in the United States is a conspiratorial movement to capture and take control of the American system of government and establish a Soviet system of government comparable to that which exists in Russia today?

Dr. Dodd. We use different terms, so I cannot answer your question. That is, that the Communists in this country do intend to take power, and they become conspiratorial because they are driven or pushed by repression.

Senator HICKENLOOPER. Do the Communists in this country aspire to set up the type and kind of government over the people here that exists in Soviet Russia today?

Dr. Dodd. I hardly think so, and for this reason: We began, with Soviet Russia, with a country that was extremely backward, not industrialized. Any Communist group or any group establishing control in this country would have to deal very differently with the people of this country than they dealt with the minions of the Czars in 1917, very differently.

Senator HICKENLOOPER. May I renew my question: Do you believe it is the purpose of the Communists in this country to set up the same general type of government and public administration over the people of the United States as is existing in Russia today?

Dr. Dodd. I believe they intend to establish socialism just as in Russia socialism is established. As to the technique, as to the number of committees, as to the type of government, there is no blueprint on that, Senator Hickenlooper. There is no blueprint on that.

Senator HICKENLOOPER. Dr. Dodd, do you believe in the capitalistic form of government?

Dr. Dodd. I will tell you that the capitalistic system has done a great deal for our civilization. As an economist, I will tell you that the capitalistic system has certain weaknesses which are inherent in it, which will force a modification of our economic system of government. It cannot help it. We are a very different Government today, with the kind of unemployment insurance and pensions for trade-unions, than we were 20 years ago.

Senator HICKENLOOPER. May I renew my question? Dr. Dodd, do you believe in the present system of capitalistic government that we have in the United States today, as it presently exists?

Dr. Dodd. I believe in the Government of the United States under its Constitution. I believe, as far as the economy of the Government is concerned, it is constantly evolving and shifting and changing as the needs of the people shift and change.

Senator HICKENLOOPER. You were expelled, I believe you said, from the party in June 1949. Will you again say what the reason for your expulsion was at that time?

Dr. Dodd. The real reasons were a long and continued disagreement with the party on many questions, both in the New York State board, the national committee, and on various groups that I served. I entered into a struggle in which I lost. Some of you gentlemen who fight within your own parties can understand that. When I lost, I got thrown out.

Senator HICKENLOOPER. How long had that struggle been going on?

Dr. Dodd. As far as I was concerned, it was for 4 years, 1945 to 1949.

Senator HICKENLOOPER. So that from 1945 to 1949 you were generally, as we say, out in my country, "at outs" with the leadership of your party; is that true?

Dr. Dodd. I was in conflict with the leadership of my party. I hoped to win other people over.

Senator HICKENLOOPER. It is reasonable to assume, then, being in conflict with the leadership of your party, that they did not take you into their confidence very much during that period of time.

Dr. Dodd. They could not help but take me into their confidence, because I held certain positions where they could not keep me out, and the expulsion did not take place all at once. It was a long period.

I was a member of the State board, which met every single week, for hours on end, in New York State. I was a member of the State committee, which met frequently. I was a member of the national committee, and a member of many of the national subcommittees.

Senator HICKENLOOPER. Now, Dr. Dodd, you are not now a member of the Communist Party, I believe you said?

Dr. Dodd. I am not.

Senator HICKENLOOPER. You have not been since 1949?

Dr. Dodd. Not since June of 1949.

Senator HICKENLOOPER. By what method did you disassociate yourself with the party at that time?

Dr. Dodd. Well, I ceased paying dues and I ceased going to any meetings.

Senator HICKENLOOPER. And you were thereafter attacked by the party?

Dr. Dodd. The expulsion statement on me is pretty drastic. They do not do that in the Republican Party or the Democratic Party when they read you out of their party.

Senator HICKENLOOPER. Dr. Dodd, I will ask you whether, since that time in 1949, you have at any time, at any place, to any person, stated that you were still at heart a Communist?

Dr. Dodd. I may have. I may have, Senator Hickenlooper. Senator Hicks—

Senator HICKENLOOPER. Most people call me "Hicks"; so that's all right.

Dr. Dodd. If we did not have the table between us, I would—

Newspapers, for instance, made much of my expulsion. They just piled in my office, and I did not know quite what I was doing, and they asked me how I felt about it, and I said the things I believed in when I joined the party, I still believe in. The fact that I do not agree with the method of achieving these ends does not make me foul my own intellectual nest. I believe in a strong fight against unemployment, I am for a strong fight for peace.

Senator HICKENLOOPER. The same principles underlying your Communist belief, while you were a member of the party, you still believed in when you were expelled from the party?

Dr. Dodd. Let me put it this way: Christianity has gone through many tight spots. There was an inquisition, there was the St. Bartholomew Massacre, and all those things and yet people did not stop believing in Christianity when those bad things happened. I do not believe in the Communist Party or its organization, or its method of getting power in the United States. When I say "its method" I mean for a small minority group. I have come to the belief that the need in this country is to unite the people of all the different parties in all of the different faiths.

Senator HICKENLOOPER. For what purpose?

Dr. Dodd. For the purpose of achieving peace, the purpose of improving the conditions of our people.

You cannot do it by the narrow little sectarian way of calling people names.

Senator HICKENLOOPER. You are still, I take it, just as firm a believer in your opinions now, as you were when you were in the Communist Party?

Dr. Dodd. We do not change, Senator, as far as our fundamental beliefs are concerned. It took me a long time to come to the place where I believed in Socialism. I cannot change overnight, and I will not change overnight.

Senator HICKENLOOPER. And—

Dr. Dodd. And I would be a hypocrite if I did.

Senator HICKENLOOPER. You then are a Socialist today, in your own definition, right?

Dr. Dodd. I believe in the public ownership of the means of the production. I believe the time will have to come when the Government will have to take more and more part in the productive processes.

Senator HICKENLOOPER. You believe in Government ownership of natural resources?

Dr. Dodd. I certainly do.

Senator HICKENLOOPER. And in transportation?

Dr. Dodd. I certainly do.

Senator HICKENLOOPER. And in communications?

Dr. Dodd. I think it would help.

Senator HICKENLOOPER. And, when you say "you think it would help"—

Dr. Dodd. I do not think that it is going to happen all at once. I would not be in favor of making it all happen at one time. There would be too many dislocations in our economic system. I have to be realistic about these matters. It is inevitable and it is coming.

Senator HICKENLOOPER. Now, do you believe that the Soviet Union today is a democratic movement, where the dignity of the individual is preserved and recognized?

Dr. Dodd. Well, I have never been to the Soviet Union, and my answer that I give here may be colored by my own experience within the party in New York.

I do believe that the Soviet Union has had to be more repressive than we would have to be, because of the tremendous situation that she had when she was first established. After all, in 1917, when they made the revolution, they had three or four other countries parked on

their doorstep, on their boundaries, and it was very difficult for them and therefore the control of their people on the inside probably was essential.

Personally, I rebel against any limitation of personal freedom unless it is in the interest of the group, and I do not suppose I would last in the Soviet Union because I believe in freedom of speech and freedom of the press.

Senator HICKENLOOPER. Do you believe the Soviet slave camps are justified in their great social experiment?

Dr. Dodd. I do not know that there are slave camps. If there are, they are not justified anywhere.

Senator HICKENLOOPER. Do you believe that Premier Stalin—the Soviet Union—is a great progressive world leader?

Dr. Dodd. Well, he is a historic figure—a great historic figure, whether you like him or do not like him.

Senator HICKENLOOPER. Do you believe that he advocates and has supported and has accomplished great social reforms in Russia to the benefit of the individual citizen?

Dr. Dodd. Oh, I would say yes. After all, you have eliminated illiteracy in the Soviet Union which was a curse upon the people in 1917.

Senator HICKENLOOPER. And do you believe that the methods of distortion and untruth and misrepresentations that the Soviet representatives have brought to all international conferences so far, are justified?

Dr. Dodd. Untruths and distortions and lies are never justified. I have come to that conclusion—that is one conclusion I have come to have in thinking about political questions.

The means never justified the end, because the means are always a part of the end. You have to be clean all the way through. You cannot reach through to the truth by untruthful methods.

Senator HICKENLOOPER. Do you believe the Soviet Union has followed the truthful method, or have they used deception and deceit and misrepresentation?

Dr. Dodd. What was the specific question?

Senator HICKENLOOPER. Practically every specific question that has come up in the United Nations, and otherwise.

Dr. Dodd. I am not an expert on the United Nations but I would say that there is a war going on there for power. I would commend our own American representatives. I think they have done a fine job there.

Senator HICKENLOOPER. Do you believe the Soviet Union is justified in excluding foreigners from free access and travel within the Soviet Union?

Dr. Dodd. I cannot judge for the Soviet Union on that question. I personally believe in the freest kind of access. I believe in the development of a one-world principle. I would like to see American workers travel in the Soviet Union. I would like to see Soviet workers travel in the United States. I would like to see Soviet students in American universities and I would like to see American students in Soviet universities.

I think, unless we get that kind of perspective, unless Joe Stalin and Harry Truman get that kind of perspective, we will not have peace in the world.

Senator HICKENLOOPER. Do you believe that Stalin and the Politburo are oppressors of the liberties of the individuals in the Soviet Union, or do you believe that they are supporting and promoting the liberties of the individuals in the Soviet Union?

Dr. Dodd. I have no real information upon that question and it is very hard—let me tell you—it is very hard for people here, when we read the various publications—there is no such thing as an honest press, with all apologies to the newspaper men. I mean, each one has an ax to grind and almost you go mad trying to get at what the truth is.

So, I do not really know what the answer to that is. I am disturbed and I certainly would not condone the curtailment of freedom of the people.

Senator HICKENLOOPER. I am speaking of the Soviet Union—what do you think about the curtailment of liberties in the Soviet Union?

Dr. Dodd. I would not condone that whether the Soviet Union did it or Harry Truman did it.

Senator HICKENLOOPER. Do you believe that the Soviet Union is extending freedom or curtailing freedom?

Dr. Dodd. That is a very general question, also. She is extending freedom in the sense that she is taking away from people the spectre of insecurity. I daresay that there has been a curtailment of political freedom in doing that.

Now, that is a real problem before all of us: How far, when you give people security, shall you curtail their freedom?

The Mayan civilization did that. Everybody in the Mayan civilization had a job and had security, but they had no freedom.

Senator HICKENLOOPER. And, the Mayan civilization collapsed?

Dr. Dodd. That is right, and we do not want ours to collapse.

Senator HICKENLOOPER. But, so far as Mr. Stalin is concerned, and the Soviet system, do you believe that they are contributing to the progress of the individual in the world, or do you believe that it is an oppressive system?

Dr. Dodd. Senator, what is the use of kidding ourselves? You have got the Soviet Union which covers one-sixth of the world. They have extended their holdings to China, which covers a lot of territory. They have a political philosophy in this world and if that means curtailment of the individual, or curtailment of the individual likes or dislikes, I do not know. If the Soviet Union has done it, I condemn it, but I think we are picking at flies on the tiger's nose.

Senator HICKENLOOPER. Do you advocate the establishment in this country of the same kind of philosophy, political and economic, that exists in the Soviet Union today?

Dr. Dodd. I am deeply committed to the general sovereign principle of government in this country. As a matter of fact, it was because I actually believed in the Jeffersonian principles that I got onto the path of communism. That is a strange comment to make.

Senator HICKENLOOPER. It certainly is because I see no Jeffersonian principle that comes within gunshot of that.

Dr. Dodd. Senator, you should go back to reading Thomas Jefferson. He has some pretty bloody statements in there.

Senator HICKENLOOPER. Getting back to my question: Do you advocate or believe in the establishment in this country of the same kind of social and political philosophy and government existing today in the Soviet Union?

Dr. Dodd. I believe that our political government here in the United States is all right. I have no fault to find with it. Our political government, we have a political democracy in this country, and if we do not like the people who are in, we can change it by going to the polls. I do believe we have to have a change and an extension on the economic front.

Senator HICKENLOOPER. Do you believe that our Government in this country, socially and economically, is the same as the Government socially and economically in the Soviet Union today?

Dr. Dodd. It is not.

Senator HICKENLOOPER. Do you favor our Government today, or do you favor the Soviet Government type for this country?

Dr. Dodd. I favor our Government, but I think we can always learn something from everybody. We got a lot of our democracy from France. I think that we can learn certain things from the Soviet Union, for instance, on their scientific front, where they have done a great deal for longevity.

I am not against extending human life by using Soviet science.

Senator HICKENLOOPER. Do you think that the Soviet science has progressed ahead of science in this country?

Dr. Dodd. Oh, science is always uneven. Some scientists are always discovering something in the United States and something else will pop up over in Russia and something else will pop up somewhere else, and it is an uneven kind of development.

Senator HICKENLOOPER. Since you left the Communist Party in 1944—

Dr. Dodd. 1949.

Senator HICKENLOOPER. Forty-nine, excuse me—have you told anyone at any time, at any place, that you were going back into the Communist Party?

Dr. Dodd. I never have and I never will.

Senator HICKENLOOPER. Do you believe that Premier Stalin is a dictator?

Dr. Dodd. I cannot answer that. In all honesty, I cannot answer that because the Soviets have a constitution and they have a method of government. I do not know how far that is being carried out or it is not. I rather expect it is a much more centralized form of government than we have here in the United States. For instance, nobody would dare make the kind of statement in the Soviet Union that was made about General Marshall here in the United States.

Senator HICKENLOOPER. And, do you believe that anybody that made that kind of a statement about General Marshall should be punished, or imprisoned?

Dr. Dodd. I do not agree with the statement, but I will defend to the end his right to make the statement.

Senator HICKENLOOPER. What do you think of the FBI, Dr. Dodd?

Dr. Dodd. They seem to be a very efficient arm of the Government.

Senator HICKENLOOPER. Do you believe that it should be encouraged, or do you believe that it is an oppressive organization?

Dr. Dodd. Well, I do not think that it is an oppressive organization. It depends on how you people treat it. If you people are going to use the FBI and extend it so that you have more policemen than you have citizens, I think that it is a foolish kind of government to get

into; but, a reasonable amount of security of government requires, if this Government is going to stand, it requires and needs security and the FBI will be helpful. I cannot give you complete information or a complete answer on that because I do not know. Whatever relationships I have had with the FBI have been very transient.

Senator HICKENLOOPER. Have you ever criticized the FBI?

Dr. Dodd. Probably I have.

Senator HICKENLOOPER. Have you ever called them a Gestapo organization?

Dr. Dodd. No, Senator. I do not like the use of that type of word. I do not apply that to any of our American institutions. I do not believe that we have reached fascism.

Senator HICKENLOOPER. Let us go to the other side of the vocabulary that you may use, and ask—have you ever called it the GPU, or anything of that kind?

Dr. Dodd. I may have. I don't know. We speak lightly. I would not attach any significance to it. I have as much respect for the FBI as I have for the Army, or Navy or any other arm of the Government.

Senator HICKENLOOPER. Well, does that mean that you have a high respect for it or a low respect for it?

Dr. Dodd. I have a deep-rooted respect for the instrumentalities that our Government uses to protect us.

Senator HICKENLOOPER. Now, you spoke of Dr. Lattimore—

Dr. Dodd. By the way, Senator, I must say that I am amazed at the number of FBI agents that you have covering the Communist Party. My Heavens, you never can tell what you are stumbling over in the Communist Party.

Senator HICKENLOOPER. What is the occasion for your great familiarity with that? You have been out of the Communist Party for some time.

Dr. Dodd. I cannot pick up a newspaper without reading of an FBI agent who had been an undercover agent in the Communist Party for at least 10 years.

Senator HICKENLOOPER. Is that good or bad?

Dr. Dodd. It is very confusing.

Senator HICKENLOOPER. I think it is, too. I think it is—to the Communists.

Dr. Dodd. I think to others, too.

Senator HICKENLOOPER. I hope it is.

Now, do you consider the Communist Party in this country just another party, such as the Democratic Party or the Republican Party?

Dr. Dodd. I do not. It is not. It is a party which is a so-called Marxist Party, based upon a certain scientific approach, and certain literature and so on and so forth. It is a more closely knit, more—what shall I say—like the nucleus in a cell, you know, it is a much more highly concentrated group.

Senator HICKENLOOPER. Yes, and as a concentrated group—

Dr. Dodd. Don't underestimate it. It is made up of people who believe—

Senator HICKENLOOPER. I hope that we don't underestimate it.

Dr. Dodd. Made up of people who believe intensely. That is the difference there. The people in the Democratic and Republican Parties today, kind of take their parties with their morning cereal.

Senator HICKENLOOPER. Well, would you say that generally speaking, the Democratic and Republican Parties in this country have believed in the dignity of man and the constitution of government under a capitalistic system, whereas, the Communist Party believes in the suppression of the individual and the destruction of what we now know as the constitutional form of government?

Dr. Dodd. There have been many struggles, both in the Democratic Party and the Republican Party, to maintain the dignity of man.

Senator HICKENLOOPER. I think that is true.

Dr. Dodd. And, I think that at certain times, when the parties, you might say, begin to droop a little, the fight and struggle within those parties insures our liberties and freedom. I think the two-party system works well.

Senator HICKENLOOPER. What about the Communist Party as a third party?

Dr. Dodd. The Communist Party is not a third party; you cannot consider it like a third party.

Senator HICKENLOOPER. What is it?

Dr. Dodd. It is a political party, it is a political party, a political philosophy, and an economic philosophy, all in one, a definite entity. For instance, the Democratic Party is not committed to the support of big capitalists, small capitalists, or the farmers, but is committed to do a little for all. The Republican Party at one time was for the farmer, then it was for the big industrialists, so the small towns were for the small-business men and they tried to straddle the issue for all. But the Communist Party is a concentrated party which believes in the right of the worker only. They do not care what happens to the capitalists. In fact, they want to get rid of them as fast as they can. So, it is a party committed to a class.

Senator HICKENLOOPER. And you believed in this philosophy when you were a member of the party?

Dr. Dodd. I believed that the working class was the most important single class in society, therefore, their organization was important, and the promotion of their interests was important. I have modified my opinions on that.

Senator HICKENLOOPER. Do you believe the capitalists are important now?

Dr. Dodd. It is not the capitalists, but I believe that it is important to unite people of all different classes in this country, in order to get the kind of government which is going to insure the security of this country.

Senator HICKENLOOPER. Tell me what kind of government you believe will insure that.

Dr. Dodd. Well, I believe in a progressive, completely democratic country on the political side. By "democratic" I mean really democratic, not curtailing the freedom of anyone. Let people talk; let them organize, have the right of petition. I believe in the Bill of Rights as it has been developed; from a political point of view, I believe in extreme democracy.

On the economic front, I think we have to take serious steps toward eliminating insecurity and want. I think the pension system which is being established now throughout the trade unions is a step in the right direction. I think as time goes on this Government is going

to become involved more and more in business to prevent the economic collapse of this Government, in this country.

Senator HICKENLOOPER. Do you believe that they have that kind of government in Russia today?

Dr. Dodd. You put me on the spot. You put two unlike things in one sentence. I cannot answer yes or no to any one of them.

I believe that they do have economic security. I do not believe that they have extended their political democracy to any degree, not to the degree that we have.

Senator HICKENLOOPER. Would you say that the economic security that you have in Russia today is the security of the slave?

Dr. Dodd. I would not.

Senator HICKENLOOPER. You believe it is the economic security of free men?

Dr. Dodd. I believe it is the economic security of free men—yes.

Senator HICKENLOOPER. I think that is all, Doctor.

Senator TYDINGS. Senator Green?

Senator GREEN. Dr. Dodd, I would like to ask you a couple of questions, to get back to the subject matter of this hearing and this investigation, and one is this: You occupied, during those years that you were a member of the Communist Party, very high positions—member of the national committee, the State committee, the State board—and what other high offices did you hold?

Dr. Dodd. I was associate editor of New Masses. I edited the New York State of Affairs. I was on the national committees on legislation, on politics. I functioned on education, taxation, finance.

Senator GREEN. Notwithstanding your holding all these high positions, you have stated that you have never heard Mr. Lattimore spoken of, is that right?

Dr. Dodd. I never heard his name mentioned.

Senator GREEN. Would you have heard it if he had any connection with the party?

Dr. Dodd. I certainly would have heard it because I attended many meetings devoted to international affairs.

Senator GREEN. It has been stated, or charged that as editor of the Institute of Pacific Relations Magazine, he was directed or induced to promote Communist writing for it, and the Communist line of action, is that a fact?

Dr. Dodd. That could hardly be the fact, because the Institute of Pacific Affairs had no trace of a Communist line. As a matter of fact, people around the party did not think too highly of the Institute of Pacific Affairs.

Senator GREEN. And yet, some Communist writers wrote for it.

Dr. Dodd. If there were Communist writers that wrote for it, I would not know them because I had had nothing to do with the Institute of Pacific Affairs and I am sure they never mentioned Professor Lattimore's name in party circles.

Senator GREEN. And you would have heard if he had been active?

Dr. Dodd. Somewhere, I would have heard it, yes.

Senator GREEN. Thank you.

That is all.

Senator TYDINGS. Senator Lodge?

Senator LODGE. I would like to second the expression of hope that Senator Hickenlooper gave, that our Mr. Morris have a chance to

interrogate witnesses in the future. It is a literal impossibility to take part in these all-day meetings, at the same time prepare questions for these witnesses. That is too much to ask of a member of the committee, so I hope in the future, that course will be followed, which I think will be the orderly way to do it.

Also, it would insure that we get a broad coverage of all the subjects.

I just have one or two questions because the hour is getting late and I want to have mercy on everybody.

My first question is: Do you believe that the American Communist Party, in general, follows the design of the Soviet Government insofar as foreign policy is concerned?

Mr. Dodd. Yes, I do.

Senator Lodge. Do you regard this as reprehensible?

Dr. Dodd. If the specific items are reprehensible, I would regard their following it to be reprehensible; if the Soviet Union puts forth, say, a program of total disarmament and the Communist Party of America followed that, I would not say that was reprehensible.

I would have to examine the policy.

Senator Lodge. I mean, do you regard the blind following of the desires of a foreign government as reprehensible?

Dr. Dodd. I think any blind following of anyone is always reprehensible.

If the Communist Party does that, I would condemn it.

Senator Lodge. You think it does that; do you not?

Dr. Dodd. I think on certain occasions it does, yes.

Senator Lodge. Do you believe that the Communist Party is hostile to religion?

Dr. Dodd. That question of religion is a very curious one. I myself do not parade my religion. I think it fair to say that when I joined the Communist Party everyone knew that I was a religious person. However, the Communist Party at one time will be very free toward religion. It will unite and function with Catholics, Protestants, Jews, and yet at other times it will begin to get critical of church hierarchies. As far as the Communist Party of America is concerned, it has not followed any understandable or clear policy on that question. I have known periods when they went out to organize the Catholics, I have known periods when they were very critical of all Catholics.

There has not been a single general policy. If you will read the old Marxist books, they are very critical of religion.

Senator Lodge. You do not think that the world headquarters of communism is hostile on religion?

Dr. Dodd. You mean the Soviet Union?

Senator Lodge. Yes; I mean the head leadership of this world movement, and I am asking a question about the leadership of that world movement, whether you do not think it is hostile toward religion.

Dr. Dodd. From the American Communist Party, I would say no. I would say they follow no one definable policy toward religion. The literature of communism is replete with attacks with regard to and upon religion. Karl Marx, Lenin have some very strong things to say about religion, as the "opiate" of the people; but as I understand it there are many churches functioning in the Soviet Union today,

Russian Orthodox Catholic churches, and there are others in the Soviet Union.

Under what conditions it operates, I cannot judge because I have not been there, and the reports are biased. Some reports of it are very glowing and some of them are very hard against it.

Senator Lodge. Do you think that the alarm of religious leaders at communism is not well founded?

Dr. Dodd. I think that it is the function of religious leaders to make sure, if the Soviet system is going to be extended, that freedom of religion be protected. That is as far as I go, and I would say that they have a right to be concerned about protecting it.

Senator Lodge. You think that they should be concerned, or have a right to be concerned?

Dr. Dodd. I think the religious leaders of this world have to look forward, if the Soviet Union is going to extend itself and other nations are coming under its control, they have to learn how other churches fare.

Senator Lodge. Putting it in a hypothetical way, you do not say that the Soviets are hostile to religion—you do not make that statement?

Dr. Dodd. The reason for that is that there is no clear-cut policy. There is only the crudest kind of publicity which says that communism is against religion—

Senator Lodge. Many eminent men have said it.

Dr. Dodd. Many eminent men have said it, but look at the facts. In the Soviet Union there are more churches now open than there have been in the history, since 1917. I do not know, but they functioned on Easter Sunday. The New York Times, and the Herald Tribune reported that. It may be that the leaders of the Russian Orthodox Church made their peace with the Soviet Government. I do not know.

Senator Lodge. All right. Thank you.

Senator Tydings. If there are no more questions—

Senator HICKENLOOPER. I did not want to interrupt but I have a question.

Dr. Dodd, while you were a Communist, did you observe that Alger Hiss was a Communist?

Dr. Dodd. No, I did not.

Senator HICKENLOOPER. Did you hear that Chambers was a Communist?

Dr. Dodd. Chambers—I knew Chambers. I met him back in the old days down in Greenwich Village, when he was pretty much of a down-and-out character.

Senator HICKENLOOPER. Did you know him as a Communist at any time?

Dr. Dodd. I never saw his card, never saw him in the Communist Party. I heard him talk a lot about communism back in 1935 and 1936, back in the old days, before I joined the Communist Party. He used to hang around Greenwich Village a lot.

Senator HICKENLOOPER. Did you at any time know, through other Communist members, or did you really believe at any time that he was a Communist?

Dr. Dodd. Chambers?

Senator HICKENLOOPER. Yes.

Dr. Dodd. I never gave much thought to him. As a matter of fact, I forgot all about Chambers until it was recalled to mind by his breaking into the newspapers. I forgot I met him many years ago, socially.

Senator HICKENLOOPER. I will renew my question. Did you at any time come to the conclusion or become convinced through information that you had from any source, that Chambers was a Communist?

Dr. Dodd. At which time?

Senator HICKENLOOPER. At any time.

Dr. Dodd. As I said, I never gave it any thought until his name began to be flushed in the newspapers, relating to Alger Hiss.

Senator HICKENLOOPER. Now, may I return to my question? Did you at any time in the past become aware of, or convinced through information of any kind, that Chambers was a Communist?

Dr. Dodd. Well, I have heard many people refer to him as a Communist, but not people in the apparatus. I have heard them talk about his being Communist.

Senator HICKENLOOPER. Did you at any time in the past, yourself, believe he was a Communist?

Dr. Dodd. During the trial?

Senator HICKENLOOPER. I mean at any time in the past, at any period?

Dr. Dodd. I want to answer that truthfully. The answer is, I did not give much thought to it. The newspapers said he was, so I assumed he was.

Senator HICKENLOOPER. Well, now, may I return to my question, and I hope it is one that can be answered by "Yes" or "No"—that you either did or did not at some time in the past believe Chambers to be a Communist, and I will ask you if at any time you believed him to be a Communist?

Dr. Dodd. Well, when the stories began to appear in the papers, I assumed he was a Communist.

Senator HICKENLOOPER. At any time before the story began—these articles in the papers?

Dr. Dodd. No. I had forgotten that such a man existed as Chambers.

Senator HICKENLOOPER. When was the first time that you had given consideration to or perhaps believed that Alger Hiss was a Communist?

Dr. Dodd. I did not say that. You are putting words in my mouth.

Senator HICKENLOOPER. I did not mean to ask you a "have you stopped beating your wife" sort of question. I do not mean that. But have you at any time from this date past, ever believed Alger Hiss was a Communist?

Dr. Dodd. Alger Hiss was convicted of perjury. He is on trial or on appeal before the courts of this country. I do not believe it is right for me to comment on the Alger Hiss case. What my beliefs are would have really no probative value in any court, or before the Senate.

Senator HICKENLOOPER. I will ask you, did you ever know Alger Hiss or accept him as a Communist in the Communist Associations?

Dr. Dodd. I never knew Alger Hiss.

Senator HICKENLOOPER. Never met him?

Dr. Dodd. No.

Senator HICKENLOOPER. Did you ever meet Mrs. Hiss?

Dr. DODD. I am not conscious of ever having met his wife, although she was a school teacher, they tell me, and I met many teachers in my life, and it may be that she was at a meeting when I was at a meeting, but I am not conscious of ever having met her.

Senator HICKENLOOPER. That is all, thank you.

Senator TYDINGS. We have two other witnesses. Thank you, Dr. Dodd.

You may remain in the audience, if you wish.

Who is the next witness?

Mr. MORGAN. Mr. Lawrence Kerley.

Senator TYDINGS. Will you stand, please and raise your right hand?

Do you solemnly promise and swear that the evidence which you shall give in the matter before this committee shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. KERLEY. I do.

TESTIMONY OF LARRY E. KERLEY

Senator TYDINGS. Give us your full name.

Mr. KERLEY. My name is Larry E. Kerley.

Senator TYDINGS. Your residence or post-office address?

Mr. KERLEY. 35-30 Eighty-first Street, Jackson Heights, Long Island, N. Y.

Senator TYDINGS. Your age?

Mr. KERLEY. Thirty-five.

Senator TYDINGS. Your present occupation?

Mr. KERLEY. I am on the editorial staff of the New York Journal-American.

Senator TYDINGS. All right, Mr. Morgan.

Mr. MORGAN. Mr. Kerley, I believe all of us are familiar with the general nature of the proceedings here, and of the inquiry into the charges of disloyalty in the State Department; and I believe you are acquainted with one of the witnesses who has been given to the staff of the committee by Senator McCarthy, Mr. John Huber; is that correct?

Mr. KERLEY. That is correct, sir.

Mr. MORGAN. Before going on to your acquaintance with Mr. Huber, I would like to ask a little of your background. Will you please trace your employment for our committee? I would appreciate it.

Mr. KERLEY. From 1937 to 1941 I was a clerk in the Federal Bureau of Investigation. From 1941 until 1945, October of 1945, I was a special agent in the Federal Bureau of Investigation. Since that time I have had my own business in Kentucky, and in the past 2 years on the editorial staff of the Journal-American.

Mr. MORGAN. You are acquainted with Mr. John Huber?

Mr. KERLEY. I am.

Mr. MORGAN. Will you give the committee the benefit of the nature of your acquaintance and association with him?

Mr. KERLEY. When I was employed in the Bureau about 1939, I set Mr. Huber up as a confidential informant in the New York City office of the FBI. At that time he had a code name, and had joined the Communist Party, to serve as an undercover agent for the FBI in that party.

Mr. MORGAN. That was when?

Mr. KERLEY. 1939.

Mr. MORGAN. Did you maintain the contact with Mr. Huber during this time?

Mr. Kerley. No. I recall that I set him up as informant and I worked as manager for an office in the United States, and as a matter of fact never met Mr. Huber personally until 1946 or 1947.

Mr. MORGAN. Are you in position by reason of your FBI associations or otherwise to comment on Mr. Huber's reliability as an informant?

Mr. Kerley. Well, apparently from the fact that he was in the employment for the period of 8 years and a member of the Communist Party, and on their payroll, I would say that his services were satisfactory during that time.

Mr. MORGAN. Now, knowing the nature of this inquiry, Mr. Kerley, do you have any information of pertinence that you would like to lay before this committee now?

Mr. Kerley. Well, Mr. Huber, whom I have known these 2 or 3 years, and came to my office about a week after the charges had originally been brought against Professor Lattimore that he was a Communist agent in this country, and Mr. Huber advised me that he had seen Mr. Lattimore and had been in his company at a party in the early part of 1946, in the home of Frederick Vanderbilt Field, who was one of the directors of the Committee for a Democratic Far Eastern Policy.

Now this is one of the front organizations of the Communist Party that has been named as subversive by the Attorney General.

I asked Mr. Huber if known Communists had attended the party and he said that as far as--.

Mr. MORGAN. What I had in mind. I do not want to curtail your testimony, but I think that aspect of it must best come from Mr. Huber.

What I wanted, since you are here today, was whether or not you had any other information of pertinence to this committee in connection with this inquiry apart from Mr. Huber's testimony.

Mr. KERLEY. Well, I do not know whether or not Mr. Huber is present, and that is why I was going to relate to you some of the conversations.

Senator TYDINGS. Would you mind if I ascertained whether he was since it might have something to do with the length of your examination?

Is Mr. Huber present?

Is Mr. John Huber present?

(There was no response.)

Senator TYDINGS. He does not seem to be here, Mr. Morgan.

Mr. MORGAN. I would say, Mr. Chairman, for the record that my information is that Mr. Huber was served with a subpoena to appear before the committee at this time, and at the same time you were served; is that correct?

Mr. KERLEY. Yes, sir.

Mr. MORGAN. Do you have any information for our benefit as to where Mr. Huber may be?

Mr. KERLEY. He came down from New York this morning and checked into a hotel about noon, and I assumed then—as a matter of

fact, we came down together. I came on to the Hill and he was to follow in an hour or so, and I have not seen him since.

Mr. MORGAN. Do you know where he may be in Washington at this time?

Mr. KERLEY. He was checking at the Carlton Hotel.

Mr. MORGAN. The Carlton?

Mr. Chairman, in view of this circumstance, unless Mr. Kerley has some further information that may have a bearing on our inquiry, I think we must necessarily ascertain Mr. Huber's whereabouts and endeavor to have him before the committee at the earliest possible time.

Senator TYDINGS. By all means, and how do you suggest that we go about getting Mr. Huber as quickly as possible, Mr. Morgan?

Mr. MORGAN. Well, with Mr. Kerley's cooperation, I would appreciate say 10 minutes with the thought of possibly locating him at the hotel. I think we might well try to do that at this time and then if we are unsuccessful in that regard, I think we have no alternative but to postpone his appearance until some future time, and, of course, let the committee take such consideration as it wants of the fact that he is not here, and is the person named pursuant to the subpoena.

Senator TYDINGS. I would like to ask Mr. Kerley, if you will bear with me a moment or two, two or three questions.

You say you came down together on the train?

Mr. KERLEY. On the plane.

Senator TYDINGS. Did you go together to the hotel?

Mr. KERLEY. Yes.

Senator TYDINGS. What time of day was that?

Mr. KERLEY. About noon.

Senator TYDINGS. About noon?

Mr. KERLEY. Yes, sir.

Senator TYDINGS. How long did you stay at the hotel?

Mr. KERLEY. I stayed only about an hour.

Senator TYDINGS. Do you know whether Mr. Huber was there at the hotel when you left?

Mr. KERLEY. No; he had stepped out.

Senator TYDINGS. You do not know where he had gone?

Mr. KERLEY. For lunch.

Senator TYDINGS. Did you see him when he came back?

Mr. KERLEY. No.

Senator TYDINGS. Do you know with whom he has gone?

Mr. KERLEY. No; I do not.

Senator TYDINGS. We will have to try our hand on our own hook.

If there is no objection on the part of the committee I suggest that we take a recess for 5 minutes and give everyone a chance to stand up a little while.

(A short recess was taken.)

Senator TYDINGS. Mr. Kerley, will you take the stand again, please? While we are still thinking about Mr. Huber, we might go on with questioning you.

You first were a clerk in the FBI?

Mr. KERLEY. Yes, sir.

Senator TYDINGS. What year did you start?

Mr. KERLEY. 1937.

Senator TYDINGS. What year did you become an agent?

Mr. KERLEY. 1941.

Senator TYDINGS. When did you appoint Mr. Huber for the work you have described?

Mr. KERLEY. I think, as I best recall, it was 1939. I did not appoint him. I merely set up the records indicating that he was on there serving.

Senator TYDINGS. So that you were here, I assume, to show that you, as the clerk in the FBI, set up the record that Mr. Huber was an informer for the FBI, commencing in the year 1939, was it?

Mr. KERLEY. Yes, sir.

Senator TYDINGS. And that was a couple of years before.

Now, who appointed Mr. Huber actually, as far as you can tell in that regard, to be the informer?

Mr. KERLEY. The agent in charge of the New York Division.

Senator TYDINGS. Do you remember who that was?

Mr. KERLEY. I do not recall. They shift a great deal.

Senator TYDINGS. To whom did Mr. Huber report?

Mr. KERLEY. To specified agents assigned to him.

Senator TYDINGS. Would he report to the New York office?

Mr. KERLEY. Yes, sir.

Senator TYDINGS. He would not report to the Washington office?

Mr. KERLEY. No, sir.

Senator TYDINGS. During the time that he was reporting, were you in the New York office?

Mr. KERLEY. I was.

Senator TYDINGS. Did you see any of his reports, yourself?

Mr. KERLEY. No, sir.

Senator TYDINGS. Then, from the time he went in, up until the present, I assume, while he reported to the New York office, you had no further contact with him?

Mr. KERLEY. No; not until I left the service.

Senator TYDINGS. What year?

Mr. KERLEY. I believe 1947.

Senator TYDINGS. What contact were you in with him after that?

Mr. KERLEY. Simply that he came into the Journal-American and was referred to me.

Senator TYDINGS. Was it a social visit?

Mr. KERLEY. No. I did not know him, and it was concerning information that he had on the Communist apparatus in this country, and that is my work on the paper as an editorial worker.

Senator TYDINGS. Did he give you information that he was hired by the FBI to get and to turn over to the FBI?

Mr. KERLEY. Well, he gave me information that he had learned in the course of that employment.

Senator TYDINGS. Was that a proper procedure?

Mr. KERLEY. I know of nothing improper about it.

Senator TYDINGS. The FBI would not mind that; would it?

Mr. KERLEY. I cannot speak for them, Senator.

Senator TYDINGS. You were a former agent, and pretty familiar with their agent methods. Would they condone that practice?

Mr. KERLEY. I do not know.

Senator TYDINGS. What would be your opinion of that?

Mr. KERLEY. I imagine if it would interfere with an active investigation, they would not condone it.

Senator TYDINGS. Was not the investigation of communism an active investigation?

Mr. KERLEY. Well, of course, it is continually an active thing.

Senator TYDINGS. Then the summation of what you are saying is, the information he gave you, he should not have given you, according to the FBI standards.

Mr. KERLEY. I am not saying that at all, because I think much of this information which is being filed in miles of steel file cabinets should be brought out to the American people so they can know what is happening with the Communists and the international conspiracy in this country where that is concerned.

Senator TYDINGS. Suppose the FBI thought it would not be advisable to impart this information to any person until they could move in more closely and get the people they wanted, would you say it was all right for him to impart that to an outsider?

Mr. KERLEY. It depends on whether the case is active or an inactive case. As far as the active evidence is concerned, if the evidence has been developed and the facts would warrant a prosecution and no prosecution has been taken over a long period of time, it could be safely assumed that no prosecution was intended. Therefore, I think that a man is obligated to his own conscience to bring it to the attention of the people.

Senator TYDINGS. But are not all cases of Communists sometimes cases that lie dormant for a long while until certain pertinent pieces of information are ascertained and then the thing becomes active almost overnight?

Mr. KERLEY. Are you speaking of espionage, or run-of-the-mill Communist activities?

Senator TYDINGS. Both. Take one and then take the other and differentiate, if there is any difference.

Mr. KERLEY. Of course, a man might be engaged in espionage activities and lie dormant for 2 or 3 years and become active again.

Senator TYDINGS. How about the other case, whether he is a Communist or not engaged in Communist activities, apart from espionage—would not the same thing apply?

Mr. KERLEY. Would you repeat that question, please?

Senator TYDINGS. If a case that was being investigated by the FBI, of Communist activities quite apart from espionage, any of the other Communist activities, had a dormant period when the thing was filed, very little new matter put in it—if new matter was put in it, in the file or came to the attention of the FBI, would it not become active?

Mr. KERLEY. Yes, sir.

There are many cases that have been active for 12 or 15 years and will be active for 20 years from now.

Senator TYDINGS. I would assume that would be so. I only asked you those because you have been in the service. You would be in better position to give facts than my supposition.

Then if Mr. Huber gave you information concerning investigations of communism or anything related to communism, I would assume—now I do not wish to put words in your mouth, and you tell me whether I am right—that that practice would not be approved by the FBI.

Mr. KERLEY. Well, I think that in his capacity as being an undercover agent, and mine as an agent, we could discuss it between ourselves.

Senator TYDINGS. I cannot hear you.

Mr. KERLEY. I think we could discuss it between ourselves, certainly.

Senator TYDINGS. Well, to go back to my question : I would like you to give me an answer to it, please:

Is it proper for an informer, working for the FBI, to impart to others—other than the FBI—the results of his work?

Mr. KERLEY. This is quite a time or period after he had left the service of the FBI. He was no longer engaged in that activity.

Senator TYDINGS. What year was it that he left the FBI?

Mr. KERLEY. Well, I took his word for it. It was some months previous to that time that he had gone—a few months before that.

Senator TYDINGS. And when was the conference that you had reference to held—approximately?

Mr. KERLEY. Well, I met him in 1947, the latter part, or the early part of 1948, as I recall.

Senator TYDINGS. How many talks did you have with him; one or more?

Mr. KERLEY. Oh, I have talked with him a number of times, in the ensuing period.

Senator TYDINGS. Did you ever talk to him before he left the service, about his work that he was doing for the FBI?

Mr. KERLEY. No.

Senator TYDINGS. After he left the service how many did you have with him?

Mr. KERLEY. Well, he has been in my office perhaps a dozen times.

Senator TYDINGS. Over what period of time?

Mr. KERLEY. Since I first met him, some 2 years ago.

Senator TYDINGS. Did he disclose what work he had been doing while he was with the FBI?

Mr. KERLEY. He discussed some of it; yes.

Senator TYDINGS. Do you have any questions, Mr. Morgan?

Mr. MORGAN. I believe I have none.

I do not know whether we want to consider at this time Mr. Huber's nonappearance. Perhaps that is something you would rather discuss in executive session at a later time. There are no other witnesses scheduled to appear at the hearing.

Senator TYDINGS. I was distracted for a moment. Did you say we should discuss Mr. Huber in executive session?

Mr. MORGAN. I assume that the committee would want to do that.

Senator TYDINGS. Before we do that, I would like to consult with the committee and would like also, if I may, to ask some questions that Mr. Fortas handed me.

What were your duties as a clerk?

Mr. KERLEY. I worked in the different departments those years. A young man who came out of college came into the FBI and worked through their training, and obtained a training while attending law school; so that I worked through the Personnel Section, the File Division, the Tour-Leading Section, which was a public relations, and the Classification of Documents and Mail—most all of the clerical positions within the Department.

Senator TYDINGS. Were your duties those of keeping records?

Mr. KERLEY. No. There were various duties. Some of them were the classification of the records, and there was a few months training on different jobs.

Senator TYDINGS. What kind of records did you work on, or keep?

Mr. KERLEY. I had access to personnel files, confidential files, and for a time the record files.

Senator TYDINGS. At that time when you were with the division and working on the records, you were of course not an agent?

Mr. KERLEY. No.

Senator TYDINGS. Had you any investigative functions in connection with your work as a clerk?

Mr. KERLEY. No, sir.

Senator TYDINGS. Did you interview Mr. Huber, or see Mr. Huber in connection with his appointment as informer?

Mr. KERLEY. No.

Senator TYDINGS. You simply got the record; it came to your notice that the transaction was consummated?

Mr. KERLEY. Yes, sir.

Senator TYDINGS. You were asked to appear here by Senator McCarthy—I am reading these questions.

Mr. KERLEY. Yes.

Senator TYDINGS. By Mr. Kersten?

Mr. KERLEY. Mr. Charlie Kersten?

Senator TYDINGS. I do not know the initials. I just have the name "Mr. Kersten."

Mr. KERLEY. No; I was not.

Senator TYDINGS. Do you know Mr. Kersten?

Mr. KERLEY. Yes; I met him.

Senator TYDINGS. Have you talked this matter over with him?

Mr. KERLEY. No; I have not.

Senator TYDINGS. Has anyone on Senator McCarthy's behalf asked you to come other than the subpoena which we issued at the request of Senator McCarthy?

Mr. KERLEY. No.

Senator TYDINGS. Have you ever paid Mr. Huber any money for his information or knowledge?

Mr. KERLEY. No.

Senator TYDINGS. Have you ever rewarded him?

Mr. KERLEY. No.

Senator TYDINGS. During the time you were an agent, did you have any occasion to read the reports that Mr. Huber submitted?

Mr. KERLEY. Not that I recall.

Senator TYDINGS. Were you in the New York office all the time?

Mr. KERLEY. No.

Senator TYDINGS. So you would have no line on his work as an agent after he had been appointed informer?

Mr. KERLEY. No; that is correct.

Senator TYDINGS. All right, sir.

Do you have any questions, Mr. Morgan?

Mr. MORGAN. I believe not.

Senator TYDINGS. Any questions, Senator Hickenlooper?

Senator HICKENLOOPER. I do not think so.

Senator TYDINGS. Senator Green?

Senator GREEN. No questions.

Senator TYDINGS. Senator Lodge?

Senator LODGE. No questions.

Senator TYDINGS. That will be all, but before the people break up in the room I would like to announce to the press that, as now tentatively agreed upon and scheduled, we had thought to complete Mr. Huber's testimony this evening. He not being present, it is not known when we can get hold of him to testify, and originally Mr. Lattimore was scheduled to testify tomorrow morning, as I recall, and because the committee has had a very long hard day and has had a good bit of work over the week end—many of us—we are going to not call Dr. Lattimore tomorrow, but Thursday instead. It is not impossible that if we should again contact Mr. Huber I will get in touch with the committee, and we might decide quickly to have a meeting that is not now scheduled, sometime tomorrow. In event Mr. Huber cannot be found tomorrow, what is the wish of counsel for Dr. Lattimore, about when they should come on?

I assume Mr. Huber's testimony will concern Dr. Lattimore. Therefore, it occurs to me that you will want to come on after Mr. Huber testifies, and for that reason I ask you the question.

Mr. FORTAS. Thank you, Mr. Chairman.

We should, if possible, like to have Dr. Lattimore's testimony scheduled at the conclusion of the testimony of all witnesses presently known to the committee.

Senator TYDINGS. I think the request is reasonable. We do not want to get Dr. Lattimore back twice, once before Mr. Huber's testimony and then after Mr. Huber's testimony. So consider, therefore, the meeting for Thursday tentative, and as soon as I can confer with the committee I will give you more definite data; but, for the time being, hold yourselves ready to come on, on Thursday.

Before we recess, I would appreciate it greatly if everyone in the room would leave without confusion but promptly. Everybody.

I have made all the announcements I know of that the press are interested in. It is necessary that the committee meet here for a few minutes, and if you will go completely out of the door and make room for others, so they can get out, we can get home and to bed quickly.

(The committee then went into a short executive session, at the conclusion of which, at 9:55 p. m., it was adjourned subject to the call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

THURSDAY, APRIL 27, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met at 10:30 a. m. in the caucus room, room 318, Senate Office Building, pursuant to notice, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, Hickenlooper, and Lodge.

Also present: Senator Ferguson, Knowland, McCarthy, and Long; Mr. Edward P. Morgan, chief counsel of the subcommittee; and Mr. Robert Morris, assistant counsel of the subcommittee.

Senator TYDINGS. The committee will come to order.

I would like to inquire if Mr. Huber is in the room?

(No response.)

Senator TYDINGS. Is Mr. John Huber who was summoned to appear here Tuesday night, in the room, or is there anyone in the room who can represent him or speak for him and act in his absence?

(There was no response.)

Senator TYDINGS. If he is here, will he speak out or arise; or his representatives, will they speak out or arise?

(There was no response.)

Senator TYDINGS. Who is the witness for this morning, Mr. Earl Browder?

Mr. MORGAN. Yes, sir.

Senator TYDINGS. Mr. Browder.

Mr. BROWDER. Yes, sir.

Senator TYDINGS. Will you come forward, Mr. Browder, to the stand.

Will you stand and hold up your right hand?

Do you solemnly promise and declare that the evidence you shall give in the pending matter before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROWDER. I do.

TESTIMONY OF EARL RUSSELL BROWDER

Senator TYDINGS. Take a seat, Mr. Browder, and give us your name, if you will.

Mr. BROWDER. Earl Russell Browder.

Senator TYDINGS. And your present address.

Mr. BROWDER. 7 Highland Place, Yonkers, N. Y.

Senator TYDINGS. Your age?

Mr. BROWDER. 58.

Senator TYDINGS. Your present occupation?

Mr. BROWDER. Unemployed.

Senator TYDINGS. All right, Mr. Morgan.

Mr. MORGAN. Mr. Browder, in case you have not formally been so advised, this proceeding is one designed to inquire into the question of disloyalty in the State Department.

In the course of evidence received reference has been made in testimony to a meeting held in New York City in 1937, at which you are stated to have been in attendance, along with Mr. Trachtenberg, and other leaders in the Communist Party.

At this meeting it has been stated, and so testified, that a determination of policy was made with respect to the Communist Party, insofar as China was concerned.

Were you in attendance at that meeting?

Mr. BROWDER. I don't know what meeting is referred to. If you could give me dates and further particulars, I might be able to identify the meeting; but I certainly could not on the items that you have mentioned.

Mr. MORGAN. Thank you. Perhaps we shall pursue it in this manner: In 1937 were you associated with the Communist Party in this country?

Mr. BROWDER. I was. I was the general secretary.

Mr. MORGAN. I ask you if, in 1937, in the month of October particularly, a determination was made by the Communist Party relative to its policy or its approach to the problem of China.

Mr. BROWDER. I would say that, in 1937, I, in particular, as the secretary of the Communist Party, was giving a great deal of attention to the question of China; very great events were taking place in China at that time that affected the fate of the entire world.

Mr. MORGAN. At one time, I believe, Mr. Browder—and correct me if I am wrong, please—you were a representative of the Communist International in China; is that correct?

Mr. BROWDER. Not exactly. I was in China in 1927, as a member of an international workers' delegation, under the invitation and personal auspices of Chiang Kai-shek. In that delegation I represented the Trade-Union Educational League of the United States.

Senator TYDINGS. Mr. Browder, would you use that big microphone, and pull it close to you; some of the reporters are having trouble.

Mr. BROWDER. Yes.

Senator TYDINGS. Thank you, Mr. Browder.

Mr. MORGAN. How long were you in China at that time, Mr. Browder, for the record?

Mr. BROWDER. I was in China for several months in 1927, and for the largest part of 1928.

Mr. MORGAN. I would presume, as a result of that period in China, that you have had a rather constant and direct interest in China; is that correct?

Mr. BROWDER. I had a direct interest in China ever since.

Mr. MORGAN. Now, back to the question earlier suggested: During the year 1937, did you, as the secretary of the Communist Party in this country, have called to your mind, or did you participate in a

policy whereby the Communists of China were to be painted, let us say, in a new role as agrarian reformers?

Mr. BROWDER. No, I have no recollection of anything of the kind.

On the contrary, I recall very clearly that our preoccupation with the problems of China at that time took the line of explaining to America, as thoroughly as it was possible for us to, that the Chinese Communists were leading the military struggle of Chinese people against Japanese invasion; that they represented the fighting section of the Chinese people; and our policy was to urge the unity of all the national forces in China, together with the Chinese Communist forces, for joint resistance to the invaders.

In the course of that policy, the Chinese Communists did represent fundamental agrarian reforms in China, and of course we tried to explain that as much as possible, also; but that was in no wise the dominant character of what we had to say to America about China.

The main motif was military resistance to the invasion of China.

Mr. MORGAN. I wonder if we could get that a little more specifically, Mr. Browder?

Am I to infer from your answer that during the year 1937 there was the change along the lines which we have just discussed; that is, the idea that the Communist Party of China was to be painted not as merely a Communist organization but rather as an organization, so it has been stated in testimony here, comparable to the North Dakota Nonpartisan League?

Mr. BROWDER. Yes. The reference to the North Dakota Nonpartisan Leaguers has no relation whatever to the policy of the Communists in the United States, in explaining the Chinese Communists. Certainly it could never occur to anyone in his right mind to try to compare the situation of the struggle in China to anything that existed in America.

There was a change in the situation in China. There was not a change in the Communist policy. There was a change in the situation in China in that the developments of the Japanese aggression called for new moves toward unity in China. The Communists took the lead in making those moves toward unity. They were joined in that by vast masses of the population and public figures in China; and, therefore, something new entered the situation in that national unity—to resist the invasion became a practical issue where, before, it had been an abstract one.

Mr. MORGAN. We can be a little more specific. I would like to ask this question: As secretary of the Communist Party, was it a part of your responsibility and function to endeavor to project, let us say, in your endeavors, a policy with respect to China?

Mr. BROWDER. That the Communists in the United States should urge a particular policy upon the Government of the United States? Yes; that is correct.

Mr. MORGAN. Will you elaborate a little on that, please, as to how you proposed to carry that forward and how you did carry it forward?

Mr. BROWDER. We explained the position of the Communist Party in China, urging unity upon the Kaomingtang for a joint struggle against the Japanese invaders; and, we urged the United States to adopt a policy of encouraging such unity.

We insisted that this unity was not only necessary for the national salvation of China, but that it was further in the immediate and direct

interests of the United States, and the only way in which the United States could protect and advance its own interests in China.

Mr. MORGAN. I appreciate that answer, but I would like to know now, however: What methods, what instrumentalities, did the Communist Party employ in projecting this idea?

Mr. BROWDER. The Communist Party employed instrumentalities of direct address to the people of the United States.

Mr. MORGAN. Through what medium?

Mr. BROWDER. Largely through the medium of my own speeches, as the spokesman of the party; and, through the medium of the Daily Worker and the Communist, and such journals published by the Communist Party.

Mr. MORGAN. Did you employ, and I believe I am using an expression which you heretofore have used in hearings, congressional hearings—did you employ "transmission belts" in carrying this program forward?

Mr. BROWDER. I think that I have had occasion to explain before, in several hearings in Washington, that the term "transmission belts," which has been made the occasion of much mystification, simply means the utilization of every agency reaching the minds of the masses, that exists outside of one zone organization.

To me, this committee here is my transmission belt to reach the public of America today, to defend the truth.

Mr. MORGAN. What other transmission belts did you use, Mr. Browder, in connection with this 1937 matter we are discussing?

Mr. BROWDER. Every occasion for public appearance which I could find. If you want specific examples, I made a speech along about that period in the Velodrome at Coney Island, in Brooklyn, N. Y., especially devoted to China, at which about 12,000 people were present, and which I read them messages from China, addressed to me by Mao Tse-tung, Chou En Lai, and Chu Teh, which puts forward the position of the Chinese party, and which the Communists in America endorsed and urged it upon the attention of the United States.

Mr. MORGAN. Let us go at it this way, Mr. Browder: Are you familiar with an organization known as the Institute of Pacific Relations?

Mr. BROWDER. I have heard of it; yes.

Mr. MORGAN. Was any effort made by the Communist Party to employ the Institute of Pacific Relations, and any publications of that organization, that that organization might have, to advance the policy that you say was the policy of the Communist Party with respect to China?

Mr. BROWDER. We never considered such a thing as practical, for any serious consideration at all.

Mr. MORGAN. Would you say that you did not employ the Institute of Pacific Relations for that?

Mr. BROWDER. I would say very definitely that we did not.

Mr. MORGAN. Did the Communist Party, to your knowledge, have individuals in the Institute of Pacific Relations or associated with the Institute of Pacific Relations, upon which you relied or depended or employed for the purpose of advancing this policy?

Mr. BROWDER. No; it did not.

Mr. MORGAN. Now I will ask you, Mr. Browder, and I am referring in this regard to testimony that has been received by this committee

from Mr. Louis F. Budenz, who has referred to a meeting held, to the best of his recollection, in October 1937, and I want to read a portion of that testimony to you, and I want to ask you some questions about it.

This appears in page 1040 of the record in this proceeding—and I quote:

Around the Institute of Pacific Relations also was established the magazine Amerasia, of which Mr. Jaffe—

Do you know Mr. Jaffe?

Mr. BROWDER. I am acquainted with him.

Mr. MORGAN (continuing) :

became editor, and which also was designed to influence Pacific affairs.

Mr. Jaffe and Mr. Field—

This is Frederick Vanderbilt Field. Do you know him?

Mr. BROWDER. I have met him.

Mr. MORGAN (continuing) :

I might tell this committee directly, to my knowledge, are solely espionage agents—Frederick Vanderbilt Field and Philip Jaffe.

In this cell there was also Owen Lattimore.

Do you know Mr. Lattimore?

Mr. BROWDER. I do not.

Mr. MORGAN. You have never met Mr. Lattimore?

Mr. BROWDER. I have never met Mr. Lattimore.

Mr. MORGAN. Did you ever see Mr. Lattimore?

Mr. BROWDER. I have not, not to my knowledge.

Mr. MORGAN (continuing) :

This I know from reports received—

and I continue the testimony—

In the Politburo, and given to me officially as managing editor of the Daily Worker. Mr. Lattimore, when I first learned this in 1937, was connected with the publications of the Institute of Pacific Affairs. In a specific meeting to which I refer, Mr. Lattimore was commended by Frederick Vanderbilt Field and Earl Browder for the fact that he had been responsible for the placing of the number of Communist writers in the organs of the Institute of Pacific Affairs, of which he was then the editor.

Now, Mr. Browder, I ask you: Was there such a meeting, to your knowledge?

Mr. BROWDER. There was not.

Mr. MORGAN. Did you ever sit in a meeting in which Mr. Frederick Vanderbilt Field was present, you were present, Mr. Budenz was present, and at which the name of Mr. Owen J. Lattimore was mentioned?

Mr. BROWDER. There was never such a meeting.

Mr. MORGAN. You deny that categorically?

Mr. BROWDER. I deny it categorically. I declare it is false.

Mr. MORGAN. Now, I am reading from the testimony here on page 1041, again the testimony of Mr. Budenz, and I would appreciate your observation relative to it:

In 1937, then, at a meeting called by Earl Browder, it was brought forward that we were now under instructions to name the Chinese Communists or represent them no longer as Red Communists, but we had formerly played them up as being the spearhead of the revolution with their Soviet Army, the Red army, and the like. But, we were to begin to represent them, as Earl Browder said, as North Dakota Non-Partisan Leaguers.

Did you, Mr. Browder, at this meeting, state that that should be the basis of representation of the Chinese Communists?

Mr. BROWDER. There never was such a meeting, and I never made such a statement and I never expressed such an idea in any form, public or private.

Mr. MORGAN. Pursuing it a bit further, this testimony is from the same page, 1041, of our record, and I quote:

Field was present at that meeting—
the same meeting which you deny occurred—

and made a report at which he commended Mr. Lattimore's zeal in seeing that Communists were placed as writers in Pacific Affairs and that this had been particularly noted during this last year 1937 and 1938. Mr. Browder also referred to that and it was agreed that Mr. Lattimore should be given general direction of organizing the writers and influencing the writers in representing the Chinese Communists as agrarian reformers or as North Dakota Non-Partisan Leaguers.

Have you any observation to make concerning that testimony?

Mr. BROWDER. I would say that it is not only false, but it is utterly ridiculous that it is hard to imagine how even a professional perjurer could think it up.

Mr. MORGAN. Now, Mr. Browder, I am again referring to the testimony given to this committee under oath by Mr. Budenz, as it appears on page 1042 of the record in this proceeding, and I quote:

In regard to another event that I could testify to in 1943, at a regular meeting of the Political Bureau, at which Mr. Browder was present, and others whom I could name, it was again officially reported that Mr. Lattimore, through Mr. Field, had received word from the apparatus that there was to be a change of line on Chiang Kai-shek.

Do you recall any meeting of that kind?

Mr. BROWDER. Certainly not.

Mr. MORGAN. Do you recall any reports having been given to you, or the organization of which you were secretary at that time, relative to a Mr. Owen Lattimore?

Mr. BROWDER. I never heard Mr. Lattimore's name mentioned in the party circle, and in fact, I was familiar with it only through having noticed it in publications as the author of articles, now and then.

Mr. MORGAN. Reference has been made in testimony to some so-called onionskin reports received by the Communist Party wherein individuals were designated by symbols. It has been stated that such reports were received at Communist headquarters in New York bearing the symbol, in one instance at least, perhaps in others "L" and "XL," designating Mr. Owen Lattimore.

Do you deny that that is true?

Mr. BROWDER. It is quite strange to me, quite outside my experience.

Mr. MORGAN. You mean, no such reports were received?

Mr. BROWDER. I never heard of such reports, never saw such reports, and I doubt the existence of such reports.

Mr. MORGAN. Was it customary, Mr. Browder, to have reports made in that manner on onionskin paper?

Mr. BROWDER. On onionskin paper? Well, I certainly don't deny the existence of onionskin paper, in my office and every other office I ever had any connection with, usually used for manifold copies of letters, and so on, and for elimination of bulk in the storage of archives.

Mr. MORGAN. What I have in mind, Mr. Browder, is not just simply

the matter of onionskin reports on onionskin paper. I mean, was it customary in the Communist Party to receive reports in which individuals were designated by symbols, rather than by name?

Mr. BROWDER. No; neither on onionskin nor bond.

Could I volunteer a further elaboration of an answer to a previous question?

Mr. MORGAN. Certainly, if you feel you want to explain any answer.

Mr. BROWDER. You raised the question of whether I received knowledge of a change pending in American policy toward China in 1943. I should inform you that, not in 1943 but in 1942, I did receive information about a change in American policy toward China.

Senator TYDINGS. You mean, American or Communists?

Mr. BROWDER. The United States Government policies toward China. I received this information as a declaration that the policy was such and such, and that was a change, although the statement declared it was a continuation. This change in policy was given to me as a matter of information by the Under Secretary of State, in whose office, in his office, in the State Department, where I visited on his written invitation to receive that statement of what the American policy toward China was.

Mr. MORGAN. Who was the Under Secretary?

Mr. BROWDER. Mr. Sumner Wells. This was a matter of public knowledge. The newspapers were in the State Department at the time, and noted my visit; and, later I had a newspaper conference at which I gave them, in written form, the statement I had received from Mr. Wells, and my own declaration on it, and I simultaneously transmitted that statement of United States Government policy on China to Madam Sun Yat Sen, in Chungking, by cable.

Mr. MORGAN. I believe, Mr. Browder, that during the course of the war, the Communist Party, as such, was dissolved and replaced by an organization known as the Communist Political Association. That is, the designation was changed to Communist Political Association. Is that correct?

Mr. BROWDER. That is correct.

Mr. MORGAN. Now, I want at this point to read from the record in these proceedings, pages 1066 and 1067, again from the testimony of Mr. Budenz, and request your observation relative thereto, and I quote:

As a matter of fact, Earl Browder dissolved the Communist Party and formed the Communist Political Association in May 1944, and in doing so, explained to the national committee that he do so under instructions in order to make America believe that communism was ceasing to be a factor in the scene and that thereby they could obtain acquiescence by America in a Red China and a Red Poland.

Do you care to comment concerning that statement?

Mr. BROWDER. I would state that it is ridiculous and false; and, I would elaborate that, if you wish.

It is certainly ridiculous to say that I, or any other of the leadership of the Communist movement in America, wish to create an impression that communism was playing a lesser role in the United States. On the contrary, everything that we did was for the purpose of increasing and intensifying and strengthening the role of the Communists in the American public life.

We did not try to secure the adherence of American Government to a new policy on China by the moves which were made in the organization, and the name of the Communist organization, because the policy of the American Government toward China had already changed before that, changed in 1942, and nothing that we did thereafter could possibly have any effect upon that question.

The change in policy of the American Government toward China was dictated, not at all by questions of internal policy within the United States, but was dictated by the necessities of a global war in which it was necessary for the American Government to have a different policy toward the Communists in China; because otherwise it was impossible properly to prosecute the war against Japan.

The previous policy against the Communists in China had immobilized 1,000,000 soldiers in the struggle against Japan, and thereby released 1,000,000 Japanese to fight the Americans.

Senator TYDINGS. It has been called to my attention, Mr. Morgan and Mr. Browder, that in the course of colloquy Mr. Lattimore has been once or twice referred to as only "Lattimore" and once or twice as "Owen L." or "J." or some other initial in the middle, before "Lattimore."

I am advised that Mr. Lattimore is "Owen Lattimore," so I suggest, for the purposes of the record, you frame a general question to see if you are talking about Owen Lattimore.

Mr. MORGAN. Very well, sir.

Mr. Browder, let us proceed along this line.

No. 1. Do you know Owen Lattimore?

Mr. BROWDER. I do not.

Mr. MORGAN. Have you ever heard reference, while you were in the Communist Party to Owen Lattimore, Dr. Lattimore, Prof. Owen Lattimore?

Mr. BROWDER. I have not. I have never discussed Mr. Lattimore, Professor Lattimore, or Dr. Lattimore with anyone in the Communist Party.

Mr. MORGAN. While you were in the Communist Party, would you have known individuals who were active in the Communist movement?

Mr. BROWDER. I would assume that anyone, of the prominence of Mr. Lattimore, I would certainly know.

Mr. MORGAN. Was Mr. Lattimore known to you as a member of the Communist Party?

Mr. BROWDER. He was not. He was definitely known to me as a person of anti-Communist views, of a very decided and profound character.

Mr. MORGAN. I have asked you earlier, Mr. Browder, about the Institute of Pacific Relations, and I think your observations are now in the record.

I would like to ask you if you are familiar or have been familiar with a publication known as Amerasia?

Mr. BROWDER. I am familiar with it.

Mr. MORGAN. I believe in, from 1937 to 1944, the chairman of the editorial board, of at least this publication, was a man named Frederick Vanderbilt Field. I believe that you testified that you knew Mr. Field?

Mr. BROWDER. I know Mr. Field.

Mr. MORGAN. Did you know or do you know Mr. Field to be a member of the Communist Party?

Mr. BROWDER. I would not be able to say definitely. I met him under the circumstances where we were cooperating and it never occurred to me to ask him if he was a member, because cooperation was complete at that time.

Mr. MORGAN. Did you accept him as a member?

Mr. BROWDER. I assumed he was, although I didn't know.

Mr. MORGAN. From 1937 to 1945, according to information available to the committee, the managing editor of this magazine, Amerasia, was one Philip Jaffe. I believe you testified that you knew Mr. Jaffe.

Mr. BROWDER. I know Mr. Jaffe.

Mr. MORGAN. Now, you know Mr. Jaffe as a member of the Communist Party?

Mr. BROWDER. I did not.

Mr. MORGAN. In your association with him, did you accept him as a member of the Communist Party, and so consider him?

Mr. BROWDER. I accepted him as a friend.

Mr. MORGAN. Both Mr. Field and Mr. Jaffe have been identified by one witness in this proceeding as espionage agents for the Soviet Union. Do you deny that is true, or do you care to make an observation relative to that testimony?

Mr. BROWDER. I would consider that to be a slander—to be false.

Mr. MORGAN. Would you say they were not Soviet espionage agents?

Mr. BROWDER. To the best of my knowledge and belief, they were not, and are not.

Mr. MORGAN. Would you have known whether they were or were not?

Mr. BROWDER. I would not.

Mr. MORGAN. From 1937 to 1944 a member of the editorial board of the publication Amerasia was T. A. Bisson. Did you know Mr. Bisson?

Mr. BROWDER. No.

Mr. MORGAN. Have you ever heard of Mr. Bisson?

Mr. BROWDER. Oh, yes.

Mr. MORGAN. Was he known to you to be a Communist?

Mr. BROWDER. He was not.

Mr. MORGAN. Did you ever accept and receive him as such?

Mr. BROWDER. No.

Mr. MORGAN. Did the Communist Party in this country utilize Mr. Bisson in any manner?

Mr. BROWDER. No.

Mr. MORGAN. Have you ever had conversations with Mr. Bisson?

Mr. BROWDER. I believe I met him socially, but I wouldn't even swear to that, because I couldn't name the time and place; but I have a faint recollection of having met him at a cocktail party somewhere.

Mr. MORGAN. From 1941 to 1943 on the editorial board of this magazine was one William W. Lockwood. Do you know him?

Mr. BROWDER. No.

Mr. MORGAN. A contributor to this magazine was one Edward C. Carter. Do you know Mr. Carter?

Mr. BROWDER. I have met Mr. Carter.

Mr. MORGAN. Is Mr. Carter a Communist, to your knowledge?

Mr. BROWDER. He is not.

Mr. MORGAN. Have you ever received and accepted him as a Communist?

Mr. BROWDER. I have not.

Mr. MORGAN. Has the Communist Party ever utilized Mr. Carter, to your knowledge, in any manner?

Mr. BROWDER. You will have to explain how you mean "utilized."

Mr. MORGAN. I mean, Mr. Browder, has the Communist Party——

Mr. BROWDER. Did Mr. Carter ever act under instructions of the Communist Party? He never did.

Mr. MORGAN. Would you care to elaborate a little more on just in what manner you knew Mr. Carter, and your association with him?

Mr. BROWDER. I think that we had—and I say "we" generally, Communists—had a common objective with Mr. Carter during the war. I believe he was very actively associated with the Russian War Relief, and it was my task, as the secretary of the Communist Party, to see that everyone who was influenced by us gave every possible assistance to the Russian War Relief, of which I believe Mr. Carter was the head.

Mr. MORGAN. Now, according to the information available to us, from 1937 to 1944 a member of the editorial board of this magazine was Owen Lattimore. I believe you have observed on the record here that you did not know Mr. Lattimore and that he was not a Communist, to your knowledge. Is that correct?

Mr. BROWDER. That is right.

Mr. MORGAN. From 1942 to 1944 a member of the editorial board of this magazine was one Benjamin Kizer. Did you know Mr. Kizer?

Mr. BROWDER. No.

Mr. MORGAN. Never heard of him?

Mr. BROWDER. I would say that the name didn't stick in my memory, if I did.

Mr. MORGAN. From 1941 to 1945 a member of the editorial board of this publication was one Kate Mitchell. Do you know Kate Mitchell?

Mr. BROWDER. I have met her.

Mr. MORGAN. Did you know her as a member of the Communist Party?

Mr. BROWDER. I did not.

Mr. MORGAN. From 1943 to 1944 a member of the editorial board of this magazine was one Harriet Moore. Do you, or did you, know Harriet Moore?

Mr. BROWDER. Not to my knowledge. If I met her casually, it was not sufficient to stay in my mind at all. I doubt whether I ever met her.

Mr. MORGAN. A contributor to this magazine was one Anna Louise Strong. Do you know this individual?

Mr. BROWDER. I do.

Mr. MORGAN. Do you know this individual to be a Communist?

Mr. BROWDER. No.

Mr. MORGAN. Have you ever met Anna Louise Strong?

Mr. BROWDER. Oh, yes; I know her well. I have known her for 30 years.

Mr. MORGAN. Would you care to make any observation concerning her association with the party, and I would presume, Mr. Browder,

that in your position you would know individuals in the party, at least those in the higher echelons?

Mr. BROWDER. I think that I would, if she had become a member, and according to the best of my knowledge and belief she was not a party member. She was a good friend.

Mr. MORGAN. Now, for our record, Mr. Browder, would you indicate please, for us, the period of your association with the Communist Party of the United States?

Mr. BROWDER. I was in prison when the Communist Party was formed in 1919, serving a sentence for opposing America's entrance into the First World War. As soon as I got out of prison, I joined the Communist Party, having been associated with the left-wing forces in the Socialist Party before that, which went to form the Communist Party. I was drafted, against my will, into the leadership of the Communist Party at that time, and took an active part in it thereafter, down to 1946.

Most of the time I was in a leading capacity, although I was away in Europe for a few years.

Mr. MORGAN. You separated from the Communist Party, you say, in 1945?

Mr. BROWDER. Actually, the technical separation took place with my expulsion from membership in February 1946.

Mr. MORGAN. Would you care, for the information of this committee, to elaborate any on the occasion of your expulsion?

Mr. BROWDER. I doubt whether the committee is interested in examining into the matters of the internal disputes in the Communist Party that resulted in my expulsion.

Mr. MORGAN. Well, Mr. Browder, let us judge that, shall we; and, suppose you proceed and if we find that it is not relevant, we can—

Mr. BROWDER. I have nothing to volunteer to the committee on that subject.

Mr. MORGAN. You were expelled from the Communist Party.

Mr. BROWDER. I was expelled from the Community Party in February 1946.

Mr. MORGAN. Did you resist expulsion?

Mr. BROWDER. I did.

Mr. MORGAN. Will you tell the committee why you were expelled?

Mr. BROWDER. I have never been able to find out, sir.

Mr. MORGAN. Would you have this committee seriously to believe that is the answer to that question, Mr. Browder?

Mr. BROWDER. Different people have different answers, and when there are so many different answers, it means that one who is searching for the truth has to suspend judgment until these different answers are reconciled.

Mr. MORGAN. Did you go to the Soviet Union shortly after the expulsion, or during the period your expulsion was being considered?

Mr. BROWDER. After—after my expulsion.

Mr. MORGAN. Who directed your expulsion?

Mr. BROWDER. What?

Mr. MORGAN. Who directed your expulsion?

Mr. BROWDER. Who directed my expulsion?

Mr. MORGAN. Yes.

Mr. BROWDER. William Z. Foster.

Mr. MORGAN. And, for the record, who is Mr. Foster?

Mr. BROWDER. He is the present leader of the Communist Party in the United States.

Mr. MORGAN. You, at the time, were secretary of the party; is that correct?

Mr. BROWDER. Technically I was in position of president of the Communist Political Association, when I was removed from leadership. When I was expelled from the Communist Party I was a simple member without any position whatever.

Mr. MORGAN. Do I infer from that that you are still a member of the Communist Party?

Mr. BROWDER. No; I am not. I was expelled from membership in 1946. I was removed from all official leading posts in July 1945.

Mr. MORGAN. You say that Mr. William Z. Foster was responsible for your expulsion. Would you care to indicate for our information how that expulsion was consummated? Did he merely advise you of that fact, or were there formal proceedings? How was it effected?

Mr. BROWDER. I would not care to go into that.

Mr. MORGAN. It might be helpful to us, Mr. Browder.

Mr. BROWDER. I doubt it; doubt it very much.

Mr. MORGAN. Well, perhaps we can approach it in this manner: You did go to the Soviet Union following your expulsion.

Mr. BROWDER. I did.

Mr. MORGAN. What was the occasion of your trip to the Soviet Union?

Mr. BROWDER. Oh, the occasion for my trip to the Soviet Union was the fact that I had been a close friend of the Soviet Union since 1921, and active advocate of better relations between the United States and the Soviet Union with, in some periods, some effect upon the situation; and I considered that the occasion of my severance from the Communist Party made it advisable for me, in order to continue the previous relations that I had established over the course of years, to visit the Soviet Union, if possible, in order to see that my expulsion from the Communist Party here did not sever all my relations with persons in the Soviet Union which would extremely limit the effectiveness of anything I might do in America for better relations between the two countries.

I applied for a visa and got it, and therefore went to visit Moscow.

Mr. MORGAN. What did you find out relative to your relations in the Soviet Union, Mr. Browder?

Mr. BROWDER. I found that in Moscow I was received as an old and trusted friend. I was given all hospitality of an old and trusted friend, and in the course of my visit there, it was proposed to me that I should accept a post of representative in America of the Soviet publishing houses; try to secure American publication of Soviet books. I accepted that proposal, largely because of the fact that it served as a confirmation of my main purpose in visiting there, of establishing that I had not broken my friendly relations with the Soviet Union.

Mr. MORGAN. You were thus received, despite the fact that you had only recently been expelled from the Communist Party in this country; is that correct?

Mr. BROWDER. Yes.

Mr. MORGAN. You accepted this employment, returned to this country as an employee of—whom?

Mr. BROWDER. No; not as an employee. I did not accept employment. I established a contractual relation with the Soviet publishing houses whereby I acted in America as their business representative to negotiate the placing of Soviet books with American publishers, and for this service I was to receive a certain portion of the royalties on such books that were paid in America.

I was not an employee.

Mr. MORGAN. You were working on a percentage arrangement; was that the idea?

Mr. BROWDER. Yes.

Mr. MORGAN. Who financed the trip to the Soviet Union?

Mr. BROWDER. Various friends of mine.

Mr. MORGAN. In the United States?

Mr. BROWDER. In the United States.

Mr. MORGAN. Friends in the Communist Party.

Mr. BROWDER. I really should not have to answer such questions as that, I think.

Mr. MORGAN. You decline to answer the question?

Mr. BROWDER. It is not pertinent to your inquiry.

Mr. MORGAN. Mr. Browder, you say you are not now a member of the Communist Party.

Mr. BROWDER. I am not.

Mr. MORGAN. Are you today ideologically a Communist?

Mr. BROWDER. Depending entirely upon your definition, and in America today nobody understands exactly what a Communist is, and many people even strongly suspect that the late President Roosevelt was a Communist.

Therefore, the question is becoming meaningless in America.

If you want to know what political opinions, what my political opinions are, I will very gladly state them. They are essentially the same as they have been all my adult life.

Mr. MORGAN. Thank you. I think that is helpful.

Mr. Browder, do you know, or have you known a man named Nicholas Dozenberg?

Mr. BROWDER. I would, at this point, want to say that if you are going to try to put upon the record here the record of my trial and conviction for passport irregularity in 1940, you will have to do so without my cooperation.

Mr. MORGAN. Well, that was not exactly what I had in mind, but I think you have helped us in your answer to that, or your observation there.

During the course of the war, did you, as secretary of the Communist Party in this country, receive letters and other communications from leaders of the Communist movement in China?

Mr. BROWDER. Yes, I did.

Mr. MORGAN. Were those communications that you received the predicate for any official or unofficial action by the Communist Party in this country?

Mr. BROWDER. In my capacity as the secretary of the Communist Party, and without consulting anyone else, I used information which I received from Mao Tze-tung, the head of the Communist Party in China—of China—to inform the President of the United States about the military situation inside of China, placing at his disposal informa-

tion concerning the diversion of one million Chinese Government troops from the anti-Japanese front to the blockading of the Communist territory.

Mr. MORGAN. Did you, while secretary of the Communist Party in this country, take any part in the program which I believe is borne out by records available to this committee, of insistence, in the pages of the Daily Worker, that individuals write various officials of our Government seeking to influence the policy in China?

Mr. BROWDER. I don't quite get your question.

Mr. MORGAN. I am asking you if the Daily Worker was utilized as a vehicle for the purpose of soliciting communications to officials of our Government, with a view to influencing American policy in China?

Mr. BROWDER. I would assume so; but if you would ask me to give specific instances, I couldn't. I would assume that that was done.

Mr. MORGAN. You mean you would not know that was done?

Mr. BROWDER. I could not name specific instances, but now that you raise the question, I assume that that was done. It was our purpose to stir up all sorts of political expressions of opinion in support of the Communists in China and support of unity in China; to influence the Government in every possible way.

Mr. MORGAN. To influence the Government, you say, with respect to unity in China; unity between whom?

Mr. BROWDER. And to take a different attitude toward specific Communists—

Mr. MORGAN. What attitude did you want to project, Mr. Browder?

Mr. BROWDER. Abandonment of the previous policy in which the influence of the United States Government was largely instrumental in maintaining and intensifying Chiang Kai-shek's war of extermination against the Chinese Communists. We wanted that influence of America removed, and this influence to be exercised, on the contrary, in favor of unification.

Mr. MORGAN. I believe you have answered for us the principal matter in which we are concerned, Mr. Browder. At least you have given your testimony with respect to it—

Mr. BROWDER. I would say that further, in 1942, it became unnecessary any longer to bring such pressure upon the Government of the United States, because the officially declared policy, from that time until 1946 was, the United States pressed upon China the coalition of the Kuomintang, the Communist, and all the democratic mass forces in one united government. From 1942 to 1946 that was the official policy of the American Government, and it was therefore no occasion for the Communists—I would say from 1942 to 1945, the only period of which I can speak—there was no occasion for the Communists to press for a change of policy in the United States Government at that time.

Mr. MORGAN. There are a number of things, I know, that would have been of general interest to this committee, and I do at this point, however, want again on the record, if I may have it, your answer to this question:

You have referred to a policy of the Communist Party in this country, which it sought to project with respect to China. I ask you again, what agencies, what instrumentalities, what methods, what

procedures were utilized by the party, when you were its secretary, in order to accomplish the objectives which the Communist Party of this country had in mind?

Mr. BROWDER. We used all available channels of influencing the Government, principally public speech, on issues of the moment, which illustrated and gave practical application to the policy that we were urging, in terms of general American interests.

We did not rely at all upon converting the people in the Government to the support of communism. We considered that that would be foolish and futile.

We based our efforts to influence the Government, in terms of changing the attitude of policymakers, entirely in terms of citing facts which proved that the interests of America required a different policy.

In the course of that, I also had occasion, without publicity, to see that the information that I received from Mao Tse-tung in China, regarding the diversion of forces away from the anti-Japanese front, that this information was placed in the hands of the President, and I was informed that the information which was so given was confirmed by the American military high command as being correct, and I, therefore, assumed, without the knowledge, that this information played a decisive role in the reformulation of American policy toward China.

Mr. MORGAN. Mr. Browder, perhaps I could make question, what I have in mind, a little clearer in this respect: I hope you will correct me if I am wrong, but as I recall reading some testimony that you had previously given to a committee of Congress, you referred to certain organizations as transmission belts of the Communist Party. In one instance, you specifically referred to, as I remember, the National Lawyers Guild as a transmission belt for the Communist Party.

Now, what I want to know is this: Did you, did the Communist Party in projecting its China policy, have any organizations which it sought to employ in projecting that policy?

Mr. BROWDER. You are placing me again in the same position that I have been several times before, before investigating committees, and I never seem to be able to establish this point, and each time I appear, I am quoted to myself as having said that this and that organization was a transmission belt; but the fact of the matter is that at all times I have attempted to explain, and I will try now again to explain to you here, that the term "transmission belt," as Communists understood it, was the utilization of every avenue of organized public relations, beginning with the Government, beginning with Congress, beginning with committees of Congress, and going down all the lines.

If you want to call any of the organizations a transmission belt of the Communists, then you must begin, if you want to state it with understanding, with the same understanding which Communists had, when I was their leader—that this committee is acting as a transmission belt for the views of Earl Browder.

Mr. MORGAN. I think you have made that plain, sir.

Mr. BROWDER. I have said that the Lawyers Guild was a transmission belt in answer to a question, not volunteering that for illumination, but in exactly the same sense that I say to you now, your committee is a transmission belt for me.

Mr. MORGAN. Back to the question: I would like to ask you again if there were any organizations, as such, that the Communist Party sought to employ and utilize in projecting its China policy—any organization whatsoever that you sought to influence.

Mr. BROWDER. We sought to influence every organization with which we came in contact.

Mr. MORGAN. Was there any organization upon which you specifically relied, or particularly relied?

Mr. BROWDER. No; only our own party.

Mr. MORGAN. Back to the Institute of Pacific Relations: Did the party seek to have placed in the publications of the Institute of Pacific Relations articles that would be designed to project the Communist Party program and the line?

Mr. BROWDER. The party, as an organization, never gave any attention to that problem. In saying that, I do not wish to say that no Communist ever wrote for it. That I do not know.

Mr. MORGAN. But you deny that the Communist Party, as an organization, did so?

Mr. BROWDER. Had nothing to do with it; no part of any general planned activity.

Mr. MORGAN. Was it a part of your individual plan, if not an organization plan?

Mr. BROWDER. No.

Mr. MORGAN. It was not?

Mr. BROWDER. No.

Mr. MORGAN. Now, this committee as you know, as I said earlier, has for its function, pursuant to a directive of the United States Senate, to inquire into charges of disloyalty in our State Department.

You were a high leader in the Communist Party of this country?

Mr. BROWDER. I was.

Mr. MORGAN. I am wondering if you have any observations that will be helpful to the committee incidental to its inquiry at this time?

Mr. BROWDER. Yes, I would be very glad to express an opinion.

Mr. MORGAN. Well, now, before you express your opinion, what I have in mind is: Have you any information or observations that would be of assistance to us in determining whether there have been, or are now disloyal people in our State Department, Communists?

Mr. BROWDER. I had no reason at all, from any point of view, to think that there are any disloyal persons in the State Department, or any other important apparatus of the Government. I think that there have been in the past officials of the State Department who pursued policies which are detrimental to the interests of the United States, and I fought them openly and spoke against them. I found that in the most important cases those policies were remedied, and I never considered the persons who were responsible for what I considered bad policies to be disloyal; but I considered them very detrimental.

Mr. MORGAN. While you were secretary of the Communist Party was an effort made by you, or by the party to place members of the party, or those that we might call fellow travelers in the State Department of the United States Government?

Mr. BROWDER. No.

Mr. MORGAN. You deny that any such effort was made?

Mr. BROWDER. I do.

Mr. MORGAN. Do you know now, or have you known in the past, of members of the Communist Party who have been in our State Department?

Mr. BROWDER. I have not.

Mr. MORGAN. I do not like to ask this question, Mr. Browder, but I intend to.

If you did know of Communists in the State Department, would you tell us whether you did or did not?

Mr. BROWDER. If I had incidentally known Communists in the State Department, I would not give you their names—no.

Mr. MORGAN. Would you tell me whether or not there were Communists in the State Department, to your knowledge?

Mr. BROWDER. Yes, I certainly—

Mr. MORGAN. Without giving names.

Mr. BROWDER. I certainly would not give names.

Mr. MORGAN. Do you deny there were Communists in the Department of State?

Mr. BROWDER. I would say, to the best of my knowledge and belief, there were not.

Mr. MORGAN. Now, I come back to the significant point of our meeting this morning, and again I want it on the record: It is your testimony, correct me if I am wrong, that you have never heard of, never met Owen Lattimore?

Mr. BROWDER. That is correct. I have never met Owen J. Lattimore. I have never heard him speak. I do not know him. I have had no connection, by correspondence, I have had no connection, through third persons.

Mr. MORGAN. Those are the only questions I have at this point, Mr. Chairman. I may have some others later.

Senator TYDINGS. Senator Hickenlooper?

Senator HICKENLOOPER. Mr. Chairman, inasmuch as I suggested before, I would suggest that Mr. Morris may have some questions, or whatever the will of the committee may be on the matter.

(Discussion was off the record.)

Senator HICKENLOOPER. Mr. Browder, where were you born?

Mr. BROWDER. Wichita, Kans.

Senator HICKENLOOPER. How long have you lived in Kansas?

Mr. BROWDER. How long did I live there?

Senator HICKENLOOPER. Yes.

Mr. BROWDER. Until—the age of 20, I believe.

Senator HICKENLOOPER. And were you ever a member of the—oh, what was called the IWW or International Workers of the World organization?

Mr. BROWDER. No, I was not.

Senator HICKENLOOPER. Existing before World War I?

Mr. BROWDER. I was not.

Senator HICKENLOOPER. Did you ever participate in any of their meetings or their activities in the Middle West, or any other place?

Mr. BROWDER. I often attended their meetings. I was very familiar with them, but never a member. I was a member of the Socialist Party in the early days.

Senator HICKENLOOPER. In response to a question by Mr. Morgan, I believe that you said you received a statement of American policy from the Under Secretary of State, Mr. Sumner Welles, I believe at that time, on China and that you transmitted that declaration of American—or statement of American policy toward China to Madam Chiang Kai-shek.

Mr. BROWDER. Madam Sun Yat-sen.

Senator HICKENLOOPER. Madam Sun Yat-sen?

Mr. BROWDER. Yes; after releasing it to the newspapers of the United States.

Senator HICKENLOOPER. Was Madam Sun Yat-sen acting in an official capacity at that time, for the Chinese Government?

Mr. BROWDER. I do not know what her official position was.

Senator HICKENLOOPER. Were you by any chance the conduit, or transmission medium from the State Department to transmit American foreign policy to China at that time?

Mr. BROWDER. I received that statement from the State Department, with the understanding, directly expressed, that I was at liberty to publish it.

Senator HICKENLOOPER. Yes.

Mr. BROWDER. And I took steps to publish it in America and I sent it to Madam Sun Yat-sen in the hope that it would be published in China.

Senator HICKENLOOPER. Yes. Now then, you have testified here, as I understand your testimony, in response to questions by Mr. Morgan, that you worked ceaselessly over a period of years, perhaps beginning in the thirties, late in the thirties and continuing up until at least 1942, for the adoption of a definite policy on the part of the United States toward China, and the Chinese Communists.

Mr. BROWDER. That is correct.

Senator HICKENLOOPER. And you were working on that policy as a Communist policy, were you not? That was the policy of the Communists that you were working on?

Mr. BROWDER. That was the policy of the Communist Party.

Senator HICKENLOOPER. Then I believe that you said that in 1942, that policy upon which you had been working was adopted as the policy of the United States toward China.

Mr. BROWDER. I would not say that the policy that we had been urging—I would say that the central points of that policy, the central points of the withdrawal of the unconditional antagonism toward the Communists and the replacement of it and encouragement of unification in China, yes, that was identical with the policy of the Communist Party.

Senator HICKENLOOPER. So that you were successful in imposing upon or having accepted by the American Government, the Communist policy toward China, so far as those particular principles are concerned?

Mr. BROWDER. I would say that it would be claiming too much to say that it was the Communist Party that was successful. I would say that the necessities of the successful prosecution of the war were recognized, and that Communists have the credit of having recognized them earlier than others.

Senator HICKENLOOPER. But, nevertheless, the views advocated up to 1942, at least the substance of the important views advocated by

the Communist Party up to 1942, were in fact adopted by the State Department, toward the Communists in China at about 1942—is that correct?

Mr. BROWDER. In October 1942.

Senator HICKENLOOPER. So, to that extent, regardless of the necessities of the situation or the explanations, you were successful or successful in getting that policy established?

Mr. BROWDER. The policy which we had advocated was substantially incorporated into the policy of the United States Government.

Senator HICKENLOOPER. Now, Mr. Browder, have you at any time, either when you were a leader or the leader of the Communist Party of the United States, or held any other office in the Communist Party, or at any time, conspired, agreed with, or attempted to secure the transmission of information, secret information, classified either as "Confidential," "Restricted," "Secret," "Top secret," or any other restricted information, from American Government sources, either to the Soviet Government or any agents of the Soviet Government, or any people you believed to be agents of the Soviet Government?

Mr. BROWDER. I have not.

Senator HICKENLOOPER. Have you ever delivered, or caused to be delivered, any information of a classified nature belonging to the Government of the United States, to any person who was either an agent of the Soviet Government, a representative of the Soviet Government, or one that you believed to be an authorized agent or representative of the Soviet Government?

Mr. BROWDER. I have not.

Senator HICKENLOOPER. Now, you visited Russia in 1946?

Mr. BROWDER. 1946.

Senator HICKENLOOPER. That was after your official expulsion from the Communist Party in this country?

Mr. BROWDER. That is right.

Senator HICKENLOOPER. I believe that you said you visited Russia in order to be reassured that your friendly relations, which you had before that time, were not impaired by your expulsion from the Communist Party in the United States, is that correct?

Mr. BROWDER. I would not put it in the way that you did. I do not think that that is entirely exact.

Senator HICKENLOOPER. Please explain it to me again, then. I was trying to paraphrase what I understood you to say.

Mr. BROWDER. I have found that, in my political life, paraphrases are the most dangerous things in politics.

Senator HICKENLOOPER. That is the reason why I am happy to have you put it in your own words again.

Mr. BROWDER. Yes. I went to Russia because, over a period of years since 1921, I had been an active friend of the Soviet Union, in close contact with the Soviet Union, a student of the Soviet Union, educator in America on the understanding of the Soviet Union, and I certainly did not wish my difficulties with the Communist Party in the United States to end that relationship.

Senator HICKENLOOPER. During the period of time after you first joined the Communist Party, and up to the time of your expulsion from the Communist Party, had you been working for the end purpose of establishing international communism in the world?

Mr. BROWDER. Now, there you are raising questions which involve the Communist doctrine and theory, and if you want to enter into that field, you will have a very interesting, but a very prolonged, session of your committee that may last for years.

Senator HICKENLOOPER. Well, we do not want to have this committee last for years, but I will ask you again whether or not you advocated the establishment of a Communist form of government in this country that took its direction and its policy from the Soviet Union, or the officials of the Soviet Union, or the Communist Party in Russia?

Mr. BROWDER. No, I never advocated such a thing, never believed in it and in fact, if I had advocated or believed in such a thing, I would have found myself in fundamental theoretical conflict with Josef Stalin, and that I avoided because I respected his theoretical ability. Just as Stalin wrote, and I studied his writings very carefully, that he would have nothing but contempt for the leaders of any other country who accepted orders from Moscow.

Senator HICKENLOOPER. Does that include Tito?

Mr. BROWDER. Again I would say that if you want to place the question of Yugoslavia, and its relations to the Soviet Union, on the agenda of this committee, I will be entering into that; but only with the understanding that you go through to the conclusion; but, if it is going to be incidental, and by the way, I have no observations to make on it.

Senator HICKENLOOPER. Now, when you visited Russia in 1946, I believe you said that you found your associations and acquaintances had not been substantially impaired by the expulsion from the Communist Party.

Mr. BROWDER. I didn't say that.

Senator HICKENLOOPER. What did you find?

Mr. BROWDER. I said I found I was received as an old and trusted friend.

Senator HICKENLOOPER. And it was suggested to you that you take this position as a representative of the Soviet publishers in this country?

Mr. BROWDER. Yes.

Senator HICKENLOOPER. And you did take such position?

Mr. BROWDER. I accepted that proposal.

Senator HICKENLOOPER. Are you still working in that capacity?

Mr. BROWDER. I am not. I canceled that contract last July.

Senator HICKENLOOPER. Have you ever, at any time, received instructions as to how you should proceed, ideologically or politically in this country from Moscow, or the authorities in Moscow, or any representative that you believed to be authorized to speak for them?

Mr. BROWDER. I never did.

Senator HICKENLOOPER. Have you ever communicated with Moscow, or any authorities of Russia that you believed to be authorized to speak for the Russian Government; have you ever received or have you ever communicated with any of those people at any time, requesting advice and information as to what position the Communists in America should take?

Mr. BROWDER. Oh, yes; not of the Government but of the Russian Communist Party. Throughout my experience as a leader in the Communist movement, I always sought every possible occasion for consultation with the Russian Communist Party, its responsible leaders, and discussed with them problems of the world and of America.

Senator HICKENLOOPER. Is communism an international conspiracy to overthrow the present Government of the United States and its form and systems?

Mr. BROWDER. Communism is not a conspiracy. Communism is a body of political views, an understanding of history, and a program of how to meet the problems of the next steps forward in the progress of history.

Senator HICKENLOOPER. Is it a part of the principles of the Communist Party of the United States to overthrow the existing governmental forms of the United States, under our constitutional system?

Mr. BROWDER. I will have to remind you, whenever I am faced with such a question, that I am not an official spokesman for any organization. I can speak for no one but myself. I am unaffiliated, an unaffiliated individual. Therefore, when you ask me about what any organization stands for, I can only give you an expression of personal opinion.

Senator HICKENLOOPER. Then, in order to take it out of the realm of personal poinion, let us revert to the time when you were an official of the Communist Party in this country, and your knowledge was then official as to the Communist Party.

What would your answer be?

Mr. BROWDER. I would say that the Communist Party was not a conspiracy for the overthrow of the existing Government of the United States.

Senator HICKENLOOPER. Do you know Mr. James S. Allen, a writer?

Mr. BROWDER. I do.

Senator HICKENLOOPER. Do you know whether or not Mr. Allen is a Communist, or ever has been?

Mr. BROWDER. Yes, he is.

Senator HICKENLOOPER. Have you ever met Alger Hiss?

Mr. BROWDER. I have not.

Senator HICKENLOOPER. During the time that you were head of the Communist Party, or a prominent official in the Communist Party in the United States, did you know whether or not Alger Hiss was a member of the Communist Party, or considered to be a member of the Communist Party?

Mr. BROWDER. I would say that I never even heard the name "Hiss" in such a way as to fasten it in my memory, until I was visited by agents of the FBI and asked to identify his photograph as someone that I knew; and later on when Hiss was in the public eye, I learned that photograph was his.

Senator HICKENLOOPER. Yes, and when you saw that photograph, did you recognize the photograph as one whom you had known?

Mr. BROWDER. I had never seen him before, and I tell you now that I had never heard his name before, in the way in which it would impress itself on my memory.

Senator HICKENLOOPER. Did you know Whittaker Chambers?

Mr. BROWDER. I did not.

Senator HICKENLOOPER. Did you at any time, while you were an official of the Communist Party, know whether or not Whitaker Chambers was a member of the Communist Party, or considered a member of the Communist Party?

Mr. BROWDER. I knew that Whittaker Chambers had been a member of the Communist Party in the early 1920's. He disappeared, and I assumed that he was out of the party, and I still so assume.

Senator HICKENLOOPER. Did you at any time while you were an official of the Communist Party of the United States, ever receive, directly or indirectly, funds or the equivalent of funds or money or the equivalent of money, from the Communist Party of Russia, or the Russian Government, or any agents of either of those, or persons that you believed to be reliable agents of either of those?

Mr. BROWDER. Yes. I have expended money on behalf of Communists in other countries and received that money back from them.

Senator HICKENLOOPER. When you say "in other countries," you mean you have expended it in the United States and received it from other countries?

Mr. BROWDER. Not necessarily in the United States. The main occasion on which questions of funds were involved, were in connection with the Spanish Civil War. During the Spanish Civil War, in the course of helping to organize the American section of the International Brigade that fought on the side of the Republic, against the Fascist invasion, I had occasion to get money from sources abroad.

Senator HICKENLOOPER. What were those sources?

Mr. BROWDER. I do not know, in detail; and if I did know, I would not tell you.

Senator HICKENLOOPER. Why not?

Mr. BROWDER. Because I would not, under any circumstances, create problems in 1950 for any individuals who had part in helping fight the Fascist rebellion in Spain in 1936 and 1937.

Many people helped in that work, and I would not give any detailed information which in any way would help the enemies of the Spanish Republic to persecute those people for the part that they played in trying to prevent the victory of the Fascist dictatorship in Spain.

Senator HICKENLOOPER. We may reach that situation a little later, but, Mr. Browder, have you received, while in this country, any money from the sources which I mentioned in my question a moment ago, from either—

Mr. BROWDER. I have received—

Senator HICKENLOOPER. From either the Communist Party of Russia, the Communist Government of Russia, or any agent that you relied upon as being an authoritative representative of either of those?

Mr. BROWDER. You mean, for the purpose—

Senator HICKENLOOPER. I say money or funds or things of value that can be converted into money.

Mr. BROWDER. For the purpose of financing the Communist movement in the United States?

Senator HICKENLOOPER. Well, first, have you received any funds while in the United States, outside of the question of support of the Spanish Revolution, have you received those funds for any purpose?

Mr. BROWDER. I have never received funds from abroad for the purpose of promoting the Communist movement in the United States.

Senator HICKENLOOPER. Have you ever received funds from abroad, from either the Communist Party of Russia or the Government of Russia, or any agents or persons that you believed to be authoritative agents or representatives, for the purpose of publications in this country, for the purpose of hiring people for work in this country, or for any other purpose?

Mr. BROWDER. I would not be able to answer that categorically, because as a matter of fact, there have been occasions on which I have

acted in the capacity of securing the publication of journals in America which were organs of international organizations and paid for by international organizations.

But, I would say that for all of the normal work of the Communist movement in America, as such, I have never received funds from abroad from any source.

Senator HICKENLOOPER. Have you ever received funds in this country that did not come directly to you from abroad, but that come from persons who represented themselves as being agents, or reliable representatives of either the Communist Party in Russia, or the Government?

Mr. BROWDER. No.

Senator HICKENLOOPER. Have you ever had any conferences, while you were an official of the Communist Party in this country, in the Russian Embassy in Washington, or in the official Russian consulates at any other place in the United States with regard to Communist activities in this country?

Mr. BROWDER. As a matter of fact, I always felt very slighted that I never received any of the invitations to the gatherings at the Russian Embassy in Washington, and it was a little bit of a grievance on my part, when so many other people could go there, I never could understand why I couldn't, too; but Russians lean over backwards.

Senator HICKENLOOPER. Mr. Reporter, would you read that question to the witness?

(The question was read as follows:)

Senator HICKENLOOPER. Have you ever had any conferences, while you were an official of the Communist Party in this country, in the Russian Embassy in Washington, or in the official Russian Consulates at any other place in the United States with regard to Communist activities in this country?

Mr. BROWDER. I have not.

Senator HICKENLOOPER. I believe you said that you knew Frederick Vanderbilt Field?

Mr. BROWDER. I have met him.

Senator HICKENLOOPER. How long have you known Mr. Field?

Mr. BROWDER. I think that was the first time that he stands in my memory with any clarity is about 1940.

Senator HICKENLOOPER. Have you ever been in Mr. Field's home in New York?

Mr. BROWDER. Oh, yes.

Senator HICKENLOOPER. Had Mr. Field ever met with you in the building occupied by the Daily Worker in New York, while you were a member of the party?

Mr. BROWDER. No.

Senator HICKENLOOPER. Has Mr. Field ever, so far as you know, been in the building or in the offices of the Daily Worker, while you were a member of the party?

Mr. BROWDER. I never saw him there, never met him there.

Senator HICKENLOOPER. Did you ever give or assign, while you were a member of the party, Frederick Vanderbilt Field to any special mission for the Communist Party?

Mr. BROWDER. Never.

Senator HICKENLOOPER. Did you ever assign Mr. Field at all, or request to undertake any espionage missions for the purpose of ascertaining secret information for you?

Mr. BROWDER. I would give you the general statement that I never have assigned or requested anyone to perform espionage.

Senator HICKENLOOPER. Do you know Tung Pi Wu, the Chinese Communist leader?

Mr. BROWDER. I do.

Senator HICKENLOOPER. When was the last time you conferred with him, or saw him?

Mr. BROWDER. I met him in New York when he was on his way to the conference that founded the United Nations. He was a member of the Chinese Government Delegation.

Senator HICKENLOOPER. Was that the last time you ever saw him or met him, or talked with him?

Mr. BROWDER. Yes.

Senator HICKENLOOPER. Who was at that meeting?

Mr. BROWDER. I do not remember, and if I did, I would not give information about a meeting which I held with such a person, and who was present.

I think that such questions as that are not in order.

Senator HICKENLOOPER. The determination of that, Mr. Browder, will be made by the committee.

Mr. BROWDER. Possibly. I may also have something to say about it.

I think the chairman will confirm that I have a right to express my opinion on these things.

Senator TYDINGS. Let us try to keep this a quiet hearing, without any—

Mr. BROWDER. I wanted to make it clear, Mr. Chairman, that I am not going to be intimidated by any person.

Senator TYDINGS. Just let us all now settle down. Go ahead, Senator.

Mr. BROWDER. Pardon me for raising my voice.

Senator HICKENLOOPER. Was Mr. Service there—a member of the State Department—at that meeting?

Mr. BROWDER. If you want to ask me any questions divorced from that meeting, about whether I know Mr. Service, I will consider whether I shall answer that or not, by itself. But, I will tell you now that I will answer no questions about that meeting with Tung Pi Wu.

Senator HICKENLOOPER. Do you know Mr. Service?

Mr. BROWDER. Now, you have asked me another question—whether I shall answer your question about Service in general—I would have no hesitation in answering this, except for the fact that experience has taught me that once I begin to answer questions about individuals, I may be led unwittingly into cooperation with a fishing expedition, and I want to tell you now that I am going to take no part in any fishing expedition to try to rake up new scandals to confuse the American public mind. I want only to contribute to dissolving this fog of slanders and innuendoes that are poisoning the public life of America today.

Senator HICKENLOOPER. Do I understand then, that your answer is that you refuse to say whether or not you know Mr. Service?

Mr. BROWDER. I refuse on the ground that I consider this is merely the beginning of a fishing expedition to bring out a long list, perhaps Budenz' famous 1,000 names, which will be asked, I will be asked to identify or not identify in detail.

I refuse to take part in such a game.

Senator HICKENLOOPER. I believe you did testify that you knew John Carter Vincent a moment ago, if I am correct.

Mr. BROWDER. I made no such testimony. I heard no such question.

Senator HICKENLOOPER. Do you know John Carter Vincent?

Mr. BROWDER. No; I do not.

Senator HICKENLOOPER. I do not want to make any assumptions that are wrong here, Mr. Browder; but, it is my memory that you said you knew Mr. Jaffe.

Mr. BROWDER. Yes; I know Mr. Jaffe.

Senator HICKENLOOPER. Now, I will ask you whether Mr. Jaffe—whether or not Mr. Jaffe was present on this last occasion when you saw and conferred with Tung Pi Wu?

Mr. BROWDER. You mean that you do not accept my previous statement that I will not answer such questions? If you are going to make an issue of this, let's have it out, as to whether I have to disclose who was present when I met with the government delegation from China to the United Nations. If I have to testify about that before this committee, I think that it is a question that should be very seriously considered, and the committee itself shall take a position.

Senator TYDINGS. Mr. Browder, I wonder if Senator Hickenlooper, in an effort to make progress on what he wanted to find out, will permit me to ask you if you will quietly tell us your reason for your reluctance to testify to this matter which he addressed to you?

Mr. BROWDER. My reasons are that I am a person who takes his responsibilities very seriously, and I never violate these responsibilities.

When I have a conference with a representative of a government, delegated to the formation of the United Nations, I do not consider myself at liberty to discuss that conference except with the permission of the man involved. Obviously, I cannot consult with Tung Pi Wu now, to see whether it would in any way be embarrassing for me to discuss it.

Senator TYDINGS. I would take it, then, from your answer that this mission that has come to the United Nations, discussed with you matters of some secrecy, and that is the reason for your reluctance to testify?

Mr. BROWDER. I would say it was a confidential discussion about the problems of the organization of the United Nations.

Senator TYDINGS. Go ahead, sir.

Senator HICKENLOOPER. I again renew my questions, and we can get along, you may either say that you refuse to answer the question, or not—I again renew my questions as to whether or not Philip Jaffe was at that conference, the last conference that you had with Tung Pi Wu?

Now, I am not asking anything else, except for an answer to that question, whether or not he was there.

Mr. BROWDER. I do not answer any questions regarding my meeting with Tung Pi Wu, beyond the fact that it took place.

Senator HICKENLOOPER. Was John Carter Vincent at that meeting with Tung Pi Wu?

Mr. BROWDER. You cannot involve me, by indirection, in what I refuse to do by direction.

Senator HICKENLOOPER. Then, you refuse to answer the question of whether or not Philip Jaffe or John Carter Vincent were at this meeting with Tung Pi Wu which you referred to as the last meeting which you had with him.

Mr. BROWDER. At this time, I certainly do.

Senator HICKENLOOPER. Was Mr. Service at that meeting?

Mr. BROWDER. Same answer.

Senator HICKENLOOPER. Are you refusing to answer whether or not he was there?

Mr. BROWDER. I refuse to answer any questions with regard to that meeting. You cannot in any way infer from that that I am affirming that any person you named was or was not at that meeting.

Senator HICKENLOOPER. Was Dr. Owen Lattimore at that meeting?

Mr. BROWDER. I refuse to answer any questions regarding that meeting.

Senator McMAHON. Mr. Chairman—

Senator TYDINGS. Senator McMahon?

Senator McMAHON. Will the Senator yield?

Senator TYDINGS. Will the Senator yield to the Senator from Connecticut?

Senator HICKENLOOPER. Yes; I yield.

Senator McMAHON. Mr. Chairman, I think that the inquiry should be answered by the witness.

Senator TYDINGS. The last or all of them?

Senator McMAHON. He should be directed to answer any question that is pertinent to these aims—and that it is not for him to—

Senator HICKENLOOPER. Thank you, Senator. I have a number of questions that I want to ask and then I would hope that the committee would determine what it wanted to do about it.

Senator TYDINGS. Mr. Browder, without disclosing what went on in that meeting that is of a confidential nature, assuming that your request in that one respect will be respected, would you feel that you could name the persons who were present at the meeting?

Mr. BROWDER. No; I would not so name them.

Senator HICKENLOOPER. Mr. Chairman, for the official record, I hope that the record shows definitely that all during this questioning, the full subcommittee is present, every member is present.

Senator TYDINGS. The record will so show.

Senator HICKENLOOPER. Did you ever meet, Mr. Browder—did you ever meet Phillip Jaffe at a Communist Party meeting in New York City?

Mr. BROWDER. It depends upon what you mean by "a Communist Party meeting?"

Senator HICKENLOOPER. At a meeting attended generally by Communists, or known Communist sympathizers?

Mr. BROWDER. No.

Senator HICKENLOOPER. Do you know a J. Peters, just the initial "J." Peters?

Mr. BROWDER. I do.

Senator HICKENLOOPER. Can you tell me what his functions were in the Communist Party?

Mr. BROWDER. He was a minor functionary—I could not describe his functions in detail.

Senator HICKENLOOPER. Then—

Mr. BROWDER. He had none during the last several years that I was at the head of the party.

Senator HICKENLOOPER. Did you give him an espionage mission at any time or request him to surreptitiously, or otherwise, acquire secret information for you?

Mr. BROWDER. No.

Senator HICKENLOOPER. Did you ever receive or accept any instructions from him to you, to perform an espionage mission, or to acquire secret Government information?

Mr. BROWDER. I would like to expand that answer to apply not only to Mr. Peters, but to all other persons that might be subject to the same questions—that in my function as the secretary of the Communist Party of the United States, I received instructions from no individuals whatever.

Senator HICKENLOOPER. That includes Mr. Peters?

Mr. BROWDER. That includes Mr. Peters.

Senator HICKENLOOPER. Did you ever work for or with the Comintern, or any of its branches in China when you were a young man?

Mr. BROWDER. No. I worked in China for the Pan Pacific Trade Union Secretariat. I was general secretary of that Trade Union Organization, with headquarters in China.

Senator HICKENLOOPER. And as such, did you work with the Communist movement in China at any time?

Mr. BROWDER. Oh, yes, I worked very closely with the Chinese Communists.

Senator HICKENLOOPER. How many times have you been abroad, Mr. Browder, outside of the territorial limits of the United States?

Mr. BROWDER. Very many times. I couldn't give you offhand the number.

Senator HICKENLOOPER. How many times roughly, between 1922 or—by the way, when did you say that you joined the Communist Party?

Mr. BROWDER. 1921.

Senator HICKENLOOPER. How many times between 1921 and the present time have you been outside of the territorial limits of the United States, on a passport visa or otherwise?

Mr. BROWDER. Probably 18 or 20 times.

Senator HICKENLOOPER. And when you reentered the United States each time, did you declare your affiliation with, or membership in the Communist Party, in your declaration when you reentered?

Mr. BROWDER. I do not understand your question. Is there such a requirement in entering the United States?

Senator HICKENLOOPER. I just asked you if you did.

Mr. BROWDER. I never heard of such a requirement, I never heard of such a custom or practice.

Senator HICKENLOOPER. Did you ever sign any statements on re-entering the United States, or entering the United States, that you were not in fact a Communist?

Mr. BROWDER. No; I never did.

Senator HICKENLOOPER. Do you know Elizabeth Bentley?

Mr. BROWDER. I have met Elizabeth Bentley.

Senator HICKENLOOPER. Did you know her as a Communist at any time?

Mr. BROWDER. No; I did not know her as a Communist. I knew her as a secretarial employee.

Senator HICKENLOOPER. Of the Communist Party?

Mr. BROWDER. No.

Senator HICKENLOOPER. Did Elizabeth Bentley ever attend any meetings at which Communist policy was discussed or programs outlined?

Mr. BROWDER. No.

Senator HICKENLOOPER. Did you ever give Elizabeth Bentley any espionage assignments in New York City, or at any other place?

Mr. BROWDER. No.

Senator HICKENLOOPER. Or, any assignment to acquire for you secret information of the United States Government?

Mr. BROWDER. No.

Senator HICKENLOOPER. Did you know, while you were an active member of the Communist Party, a man by the name of Golos? I believe he is now deceased.

Mr. BROWDER. I did.

Senator HICKENLOOPER. Were you ever present at any meeting where any member of the Soviet Embassy or Soviet mission to this country, conferred with Mr. Golos, or with Miss Bentley or—

Mr. BROWDER. No.

Senator HICKENLOOPER. Or others, or both of them together?

Mr. BROWDER. No.

Senator HICKENLOOPER. On your last visit to Moscow, who were the Soviet leaders or Communist leaders, or the Russians with whom you discussed your situation, so far as the Communist Party and the Communist movement were concerned?

Mr. BROWDER. As a matter of fact, I had no discussions about the situation in the Communist Party. I had no discussion, not because I did not want to, but because I could not find any Russian who would discuss the American Communist Party with me at all.

Senator HICKENLOOPER. Who were the Russians you talked to while in Russia?

Mr. BROWDER. Well, the outstanding figures that I had occasion to talk to were Molotov, and Lassovsky. Molotov was the former foreign minister and Lassovsky was the chief of the information bureau.

Senator HICKENLOOPER. Did you talk to any members of the—that is, any leaders of the Communist Party in Moscow?

Mr. BROWDER. As such, no. I was not invited to the Communist Party headquarters.

Senator HICKENLOOPER. Did you have any meetings with Communist leaders in Moscow, outside of the Communist headquarters?

Mr. BROWDER. Mr. Molotov, himself, was the—is the leader of the Communist Party, but I met him as foreign minister. He invited me to his office in the Foreign Ministry, and I met him there. At the same time he is the leader of the Communist Party.

Senator HICKENLOOPER. And did you meet other leaders of the Communist Party, other than the two you have mentioned?

Mr. BROWDER. I met others.

Senator HICKENLOOPER. Would you give us their names, as you can remember them?

Mr. BROWDER. I think it is sufficient if I tell you that I met Molotov and Lassovsky, and I do not care to go any further into it.

Senator HICKENLOOPER. I do not think it is sufficient that you limit your statement to that, and as responsive to the question.

Now, you of course may refuse to answer the question, but I present it again: Other than the two you have mentioned, what other Communist leader did you meet and confer with in Moscow?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Abe Flaxer?

Mr. BROWDER. Who?

Senator HICKENLOOPER. Do you know Abe Flaxer, F-l-a-x-e-r?

Mr. BROWDER. I recognize the name as a leading member of a trade-union and I want to say that I will not answer any questions as to my knowledge of any trade-union leader.

Senator HICKENLOOPER. Do you know whether or not Abe Flaxer is a Communist or has been a Communist?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Judge Dorothy Kenyon?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Haldore Hanson?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Are any of these people whose names I have just mentioned, namely, Mr. Flaxer, Judge Kenyon, Mr. Hanson, to your knowledge now or at any time in the past, have they been to your knowledge, Communists or sympathizers and workers for the Communist cause?

Mr. BROWDER. I want to declare to the committee that I consider it outrageous that this hearing should be devoted to the development of new smear campaigns, and headlines about individuals, on the basis of innuendo and general smear campaigns. I refuse to take part in such proceedings. This is not a search for facts. This is an attempt to promote a public campaign of hysteria with which I will have no association.

Senator HICKENLOOPER. Will you read the question to him, please?
(The record was read as follows:)

Senator HICKENLOOPER. Are any of these people whose names I have just mentioned, namely, Mr. Flaxer, Judge Kenyon, Mr. Hanson, to your knowledge now or at any time in the past, have they been to your knowledge, Communists or sympathizers and workers for the Communist cause?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Nathan Gregory Silvermaster?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know William Ludwig Ullmann?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Harry Bridges?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know John Abt?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Nathan Witt?

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. Do you know Albert Rhys Williams—R-h-y-s, middle name.

Mr. BROWDER. I refuse to answer.

Senator HICKENLOOPER. While you were an official of the Communist Party, did you at any time have any meetings in the office of

the Daily Worker, or at any other place at which Louis Budenz was in attendance?

Mr. BROWDER. I never had any meetings in the office of the Daily Worker at which Budenz was in attendance. There were two or three meetings in my office at which Budenz attended.

Senator HICKENLOOPER. Those meetings were to discuss policy of the Daily Worker, and the Communist program, were they not?

Mr. BROWDER. No; they were very specific meetings which Budenz was invited for the purpose of discussing the work among the Catholics at which he was considered to be a specialist.

Senator HICKENLOOPER. And those meetings were limited to that purpose, is that correct?

Mr. BROWDER. That is correct.

Senator HICKENLOOPER. And who attended those meetings?

Mr. BROWDER. I can't tell you offhand; generally, in the office of the party.

Senator HICKENLOOPER. Was Frederick Vanderbilt Field at any of those meetings?

Mr. BROWDER. No.

Senator HICKENLOOPER. Was William Z. Foster at any of these meetings?

Mr. BROWDER. I would not know. As far as—from the time—as to exactly who was present.

Senator HICKENLOOPER. Was Jack Stachel at any of these meetings?

Mr. BROWDER. I wouldn't remember.

Senator HICKENLOOPER. You know—

Mr. BROWDER. Oh, yes.

Senator HICKENLOOPER. What position in the party does Mr. Stachel hold now?

Mr. BROWDER. I do not know.

Senator HICKENLOOPER. What position in the party did he hold while you were an official of the party?

Mr. BROWDER. He held very many different positions. He changed his work very frequently.

Senator HICKENLOOPER. Did Mr. Stachel ever direct you to perform any missions for the acquisition of secret information for the Communist Party?

Mr. BROWDER. I have answered that question before, and I repeat, no one ever gave me directions in my capacity as the secretary of the Communist Party, either to get secret information or for any other purpose. I received no instructions. I accept no instructions. I was an independent executive responsible only to my executive committee.

Senator HICKENLOOPER. Did the executive committee give you directions from time to time?

Mr. BROWDER. No.

Senator HICKENLOOPER. Did you ever receive directions from Moscow, either from the Communist Party or the Communist Government at any time?

Mr. BROWDER. No.

Senator HICKENLOOPER. Then I take it you were operating in a completely sovereign capacity as an individual direct in the Communist Party with neither the executive committee nor any other person directing or suggesting what you did, that you were completely sovereign in the Communist Party in this country, is that correct?

Mr. BROWDER. You are at liberty to make your own formulation of, or generalization of, what the condition was. I have given you the facts.

Senator HICKENLOOPER. Mr. Chairman, there are a number of things involved here in this hearing, that I think quite apparently require a meeting of this committee, and at this moment I think that I have concluded my testimony.

I am sorry to have taken so much time from the other members but I again revert—I think the Senator from Connecticut has a point. I merely wanted to get through with the group of questions before he took up his, sir.

Senator TYDINGS. Before we have our meeting, or set a time for meeting, there may be others that have questions here.

Senator Green, do you have any questions?

Senator GREEN. No questions.

Senator TYDINGS. Mr. Morgan?

Mr. MORGAN. Mr. Chairman, in view of developments at this point, I think, as counsel for this committee, I would like to have in the record a portion of the resolution under which we are functioning, Senate Resolution 231, which provides that, and this is a pertinent part of it, "that the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are, or have been, employed by the Department of State."

I think, Senator Hickenlooper, for our record, we might have your observation as to whether these questions to which you have not received a response, were, in your opinion, pertinent to this authorizing clause.

Senator HICKENLOOPER. These questions, Mr. Chairman, that I have asked, have the utmost pertinency to the direct and intimate subject matter of this resolution, and I should be glad to go into the matter with the committee a little more in detail. I assure you that they have a direct bearing.

Senator TYDINGS. Senator Lodge?

Senator LODGE. I would like to reiterate my hope that Mr. Morris will have a chance to interrogate all the witnesses, and I think it is impairing the integrity of this proceeding for him not to have that opportunity. I think that this committee and the press and the American public are entitled to have all of these witnesses approached from different angles and have this thing threshed out as nearly as possible with as broad a coverage as possible; and, I shall not press for a vote now, but it is a matter of procedure that is better settled in executive session; but, I do say that as of the next executive session, I shall ask for a vote on that issue, which I regard as fundamental.

Senator TYDINGS. Senator Green?

Senator GREEN. I have no questions at the present.

Senator TYDINGS. Senator McMahon?

Senator McMAHON. Mr. Browder, who set the line for Mr. Budenz' paper; was it you or Mr. Stachel?

Mr. BROWDER. I was the editor in chief, and ultimately responsible for the paper as a whole. There was a brief period in which I used Stachel as my deputy, but he had no independent authority.

Senator McMAHON. Can you give us the time of that interregnum?

Mr. BROWDER. I would say that that was the 1944 period, and up to the time of my being deposed as the head of the party.

Senator McMAHON. When did Mr. Budenz come with the Daily Worker, do you remember?

Mr. BROWDER. I would hesitate to give offhand dates.

Senator McMAHON. Approximately?

Mr. BROWDER. Approximately, subject to correction, I would say that he was first employed by the Daily Worker in 1936. That employment lasted, I believe, something less than 2 years; and then he went to Chicago. In Chicago he was editor of the Midwest Daily Record. That was discontinued, I believe, in 1940; and, after he had wound up the affairs of that paper, I think he came back to the Daily Worker, although I think there was a period in which he was not employed.

He was finally employed again on the Daily Worker sometime in '40, I believe.

My memory would not be exact on that, because in that particular period I was having my own trial and receiving a prison sentence, and was not giving daily attention to that phase of the work.

Senator McMAHON. Did he operate the paper during those times when you were unable to do it?

Mr. BROWDER. No. Budenz was never anything but a technical man in the staff of the daily. He was not a political man.

Senator McMAHON. Didn't he have the title of managing editor?

Mr. BROWDER. Yes.

Senator McMAHON. Didn't that title carry with it the usual purposes of such a title on the newspaper?

Mr. BROWDER. I don't know what the usual purposes of such a title are, but in our paper it means the technical editor.

Senator McMAHON. What do you mean?

Mr. BROWDER. The only field in which he was qualified, was the technique of newspaper production. He was in charge of copy and so on. I suppose that, in a large modern newspaper, he would be what you would call the copy editor.

Senator McMAHON. He had nothing to do with policy?

Mr. BROWDER. No.

Senator McMAHON. You regarded him as a loyal party member?

Mr. BROWDER. We had no reason at that time to question his loyalty, but we did discuss—question his capacity for anything beyond the technical newspaper production.

Senator McMAHON. Was it customary for the contributors to your paper to call at the offices of the Daily Worker and leave their material, or was it sent in from time to time?

Mr. BROWDER. Both—both.

Senator McMAHON. You said that you had him in a conference for some work to be done on the Roman Catholic policy. What was the nature of that work, if you care to say?

Mr. BROWDER. Well, he prided himself very much on his ability to spread communism among the Catholics, and we naturally humored that in hopes that it might develop something through it, and the conferences—

Senator McMAHON. Louder.

Mr. BROWDER. Conferences were held at his insistence, to discuss that problem.

Senator McMAHON. He initiated that himself?

Mr. BROWDER. Yes. He was the man who was also pressing it, and the necessity and the possibilities of spreading communism among the church members.

Senator McMAHON. I don't wish to pursue this at any great length, but, Mr. Browder, you have stated that you did not know, as I recollect it, what the reasons were for your discharge from the Communist Party. It is a matter of fact that Thorez, the French Communist leader, made a speech a few days before action was taken against you in the United States party, is not that true?

Mr. BROWDER. You are probably referring to the fact that—

Senator McMAHON. When he denounced you.

Mr. BROWDER. Jacques Duclos published an article in the French party magazine denounced me as having revived the basic principles of Marxism and Leninism.

Senator McMAHON. It was a few days later that you were expelled?

Mr. BROWDER. No; it was some time later. But first a series of meetings and discussions, so-called, and a convention at which I was removed from leading positions, and the following February, 6 months later, I was expelled from membership.

Senator McMAHON. It is a privilege, of course, under our Constitution, that a witness does not have to answer, if you want to plead that it may incriminate him, but there are two names Senator Hickenlooper has presented to you, namely, Miss Dorothy Kenyon, and Mr. Haldore Hanson. He gave you those names in the middle of a list of other names which I have not heard in these proceedings.

Now, some of them have a vaguely familiar sound to me, but, of course Miss Kenyon and Mr. Hanson were named openly and charged openly by Senator McCarthy and they have appeared before this committee. It occurs to me that whatever your answer may be, that to withhold an answer on Miss Kenyon and this other gentleman, if you are sincerely interested in not contributing to a smear campaign, that your withholding of an answer on them, if the answer is in the negative, is contributing to that smear.

On the other hand, if the answer is in the positive, since those cases are before the committee, I believe you should answer.

I, therefore, Mr. Chairman, move that the witness be directed to answer as to—I want it in the words of Senator Hickenlooper's question to these two people only, and for the reasons that I have given you.

If you will just repeat your question, Senator Hickenlooper.

Senator TRYINGS. Allow me to talk to the witness a moment. Mr. Browder, the names of the two persons who have been mentioned by Senator McMahon, have had a part in these proceedings. I will not attempt to detail what the statements against them were, but the question has arisen as to whether or not they are members of the Communist Party, first.

Now, as Senator McMahon has pointed out, if you refuse to answer the question, we can draw either interpretation from your refusal. The chairman would like, therefore, before taking any formal action on behalf of whatever the committee might want to propose, to bring this matter to your attention and in the interest of fairness and truth,

and in pursuing the investigation which we are ordered to make, to ask you if you will not reconsider on those two names, and tell us whether or not you know or do not know they are members of the Communist Party.

Mr. BROWDER. I am quite willing to answer the question about those two persons and I refused to answer before only because they were included in a long list which was obviously the beginning of a fishing expedition for new names to smear by association.

It is unfortunate that I have associated with very many public people and it is also unfortunate that they associated with me under conditions where it was obviously their patriotic duty to do so whereas, now the very mention of that sort of association can be used to destroy them in public life, and I will not permit such associations of mine to be used in that fashion.

I will not take part, and I will not be drawn into any fishing expedition of that kind.

With regard to Dorothy Kenyon, and the other name—

Senator McMAHON. Haldore Hanson.

Senator TYDINGS. Haldore Hanson.

Mr. BROWDER. I would say, without the slightest hesitation, that neither one of them ever, in my period of leadership in the organization, the Communists, had any organized connection as members or friends.

Senator TYDINGS. Thank you very much for cooperating. I would like to ask Senator Hickenlooper if, in that list of names that he read, many of which I have not heard before, there are any employees who have been in the State Department or are now in the State Department, and if he will not give me those names so that I may see if we can reach an understanding and at the same time try to keep you in the character that you say you want to remain in.

I have no idea of trapping you or involving you. I am only dealing with you in complete frankness, to try to help this case which we are ordered to investigate, and for no other reason.

Senator McMAHON. I want him back when you get through with this line.

Senator TYDINGS. Yes.

Senator HICKENLOOPER. For the record, and I again want it to appear that at this time the entire membership of the committee is here, all five members, I will call attention to the fact that Mr. Service, John Carter Vincent, are both connected with the State Department; Lattimore has been connected with the State Department, although the degree of that connection is somewhat indefinite, on occasions; and I say to the committee that the rest of the names, at least in most part, in my judgment, have a direct bearing upon the inquiry into the State Department's activities and the employees of the State Department.

There might be one or two questions which would lay the basis for further inquiry, depending on the answers he has, which might directly affect the State Department; but every one of these questions that I have asked this witness has been asked for the purpose that I believe it can lead to information in connection with the State Department activities.

Senator TYDINGS. Now, Mr. Browder, you have already testified at length about Mr. Lattimore, so I am not going to ask you any more about Mr. Lattimore; I think that you have covered that subject. Mr. John Carter Vincent and—

Senator McMAHON. Before that, would you mind if I proceeded with my examination?

Senator TYDINGS. Pardon?

Senator McMAHON. That is perfectly all right. I would say now that would come, but I have some preliminary questions—

Senator TYDINGS. Go ahead.

Senator McMAHON. Mr. Browder, you have made the assertion that you refused to name people as having associated with you, whose patriotic duty it was to associate with you during years past.

That statement is slightly mystifying to me, and I am sure that it must be to others of the committee. What do you mean by that?

Mr. BROWDER. I mean that the cooperation of the Communist Party in the war effort had a very serious significance in its success, and in the course of that cooperation I had direct and indirect associations and correspondence in cooperation with the large number of public figures from the President down.

Senator McMAHON. In other words, prior to June 21, 1941—

Mr. BROWDER. Yes.

Senator McMAHON. When the Soviet Union was invaded by Hitler, the Communist Party in this country did everything that it could to prevent any demonstration of sympathy for the Allied cause. That is true, is it not?

Mr. BROWDER. No; that is not.

Senator McMAHON. To discourage all aid and assistance to Great Britain, for instance, during that period of the pact between the Soviet Government and Hitler? Is it not a fact that the Communist Party in this country carried on a campaign denominating the war in progress as an imperialist war?

Mr. BROWDER. That is a fact.

Senator McMAHON. It is a fact?

Mr. BROWDER. Yes. Your previous statement is not.

Senator McMAHON. Now, in the process of carrying out that policy denominating it as an imperialist war there were many slow-downs which were initiated in defense plants in this country by the Communist Party.

Mr. BROWDER. No; that is not correct.

Senator McMAHON. That is not true, or—in what regard?

Mr. BROWDER. That is not true.

Senator McMAHON. As regards the airplane plant in California? That is not true?

Mr. BROWDER. It is true there was a strike there; yes. It is true it had no connection with international questions.

Senator McMAHON. And was not instigated by the Communists?

Mr. BROWDER. The reason for the strike was that the workers in that plant were receiving 47 cents an hour. The going rate in most airplane plants was 67 cents an hour, and those workers wanted to get at least half of that difference, they wanted 57 cents an hour. The strike was for 57 cents an hour, and the question the Communists had to decide was whether they would tell the workers not to strike.

The Communists had no decisive power. They had to advise. They told them to strike for 57 cents an hour. They were receiving 47.

Senator McMAHON. Well, at any rate—

Mr. BROWDER. By the way, that same airplane plant was getting its own price from the British Government.

Senator McMAHON. Obviously, we cannot go into all those ramifications, Mr. Browder—

Mr. BROWDER. If one is not prepared to go into the facts of the case, one should never cite these things as examples of a general situation.

Senator McMAHON. All right. Now let's get on with it.

After the invasion of Soviet Russia, your attitude, that is, the Communist Party attitude changed, after June 21.

Mr. BROWDER. Yes. Would you like me to express why it changed?

Senator McMAHON. Well, that is not pertinent to my next question, which is that apparently after that date, and when you decided to wholeheartedly support the efforts made here, you stated that you came into contact with American officials; was that correct?

Mr. BROWDER. I did.

Senator McMAHON. Were you present at the San Francisco Conference?

Mr. BROWDER. I was not.

Senator McMAHON. Did you make any calls at the State Department during those war years?

Mr. BROWDER. At the State Department? Yes; I visited the State Department twice.

Senator McMAHON. And, in what years—

Mr. BROWDER. Both times at written invitation.

Senator McMAHON. What years were they?

Mr. BROWDER. 1942 and, I believe the second time was 1943.

Senator McMAHON. Whose duty was it to see you on those two occasions?

Mr. BROWDER. I met Under Secretary Sumner Welles.

Senator McMAHON. What was the purpose of that discussion?

Mr. BROWDER. The first meeting was occasioned by a speech I had made, making charges against certain elements in the State Department. Mr. Welles said that the Department had been forced to take notice of these charges and considered that perhaps they were due to lack of information on my, Browder's, part. He said that apparently I was not sufficiently acquainted with what was the actual policy of the United States Government. He then proceeded to read a statement to me in which he specifically rejected, one by one, the charges I had made, which was to the effect that it was the State Department's influence which was causing the armies of the Nationalist Government in China to be withheld from the fighting front and kept as a blockading force against the Communists.

Senator McMAHON. It was during this time, of course, that you were demonstrating in favor of the second front, too, was it not?

Mr. BROWDER. At the same time; yes.

Senator McMAHON. You put out quite a lot of propaganda on that?

Mr. BROWDER. Oh, yes, indeed.

Senator McMAHON. And, in 1943, did you again see Mr. Welles?

Mr. BROWDER. Yes. I was requested to call at the State Department, the occasion being that I had written to the State Department to

inform them that I was contemplating a trip to Mexico at a particular date and inasmuch as the situation—and the war—was critical, I considered it necessary for me to notify them in advance, as a matter of courtesy and cooperation.

He responded to that letter of notification that I was going to Mexico, with the request that I call at the State Department.

Senator McMAHON. Mr. Welles did?

Mr. BROWDER. Mr. Welles.

Senator McMAHON. By the way, did he try to dissuade or discourage you from that second-front propaganda?

Mr. BROWDER. I did not argue about those questions. He seemed to have a specific agenda for the visit.

Senator McMAHON. Which had to do with your China—

Mr. BROWDER. What?

Senator McMAHON. Which had to do with China?

Mr. BROWDER. Primarily. We discussed a few other questions but the basis and the reason for meeting was China, and that was the serious business that was conducted.

The second time he called me to the State Department to request that I should not make the trip to Mexico and I responded that, I first asked him if he could give me any reason for it, and he said he could not; and then, I said that I thought that such a decision was a mistaken one. I thought that my trip to Mexico would be helpful to the whole situation, but since he had informed me that he was requesting me to not go, on the personal suggestion of the President, I said I would accept this suggestion without decision.

I did not know, and later on I found out the reason why that request had been made—that that was the exact moment when the President was meeting the President of Mexico in Monterey. If I had made my trip, I would have been a passenger to Monterey at the exact moment of the meetings of the two Presidents, and the Un-American Activities Committee would have a case against the President of the United States.

Senator McMAHON. You saw, then, the Under Secretary on both of your visits to the Department, Under Secretary Welles?

Mr. BROWDER. Yes.

Senator McMAHON. Did you see him alone?

Mr. BROWDER. No. I was accompanied by Robert Minor, and some other officials with Mr. Welles on the first visit—not the second visit—a Lauchlin Currie.

Senator McMAHON. That was on the second visit?

Mr. BROWDER. No, the first visit.

Senator McMAHON. Now, what are the other circumstances, what circumstances were there where it was patriotic, a patriotic duty of officials to meet with you—what are the occasions?

Mr. BROWDER. I could not describe the occasions without naming the people. It is a fact, however, that there was a tremendous amount of problems in the war in which the Communist Party was able to play a very strong, constructive role in facilitating the whole process of national unity.

Senator McMAHON. Did you have any dealings with the OSS?

Mr. BROWDER. Personally, no.

Senator McMAHON. Did you cooperate with them?

Mr. BROWDER. There were members of the party who did.

Senator McMAHON. You will not give us then, an answer to whether or not you have met with with Mr. Vincent and Mr. Service?

Mr. BROWDER. I think somewhere I must draw the line or I will inevitably be involved in the machinations of the people who have created this silly mess, and therefore I prefer to draw the line right here.

Senator McMAHON. Mr. Browder, I am calling your attention to the fact that, as was the case with Miss Kenyon and Mr. Hanson, Mr. Service has been mentioned publicly by Senator McCarthy, so it is not a case of starting any campaigns. This matter is now out in the open.

Does that change your determination?

Mr. BROWDER. Not at this time. I am, of course, open to conviction later, as to whether I have done an injustice to anyone by arbitrarily drawing a line at a particular place. I think I must draw a line, and I have drawn it and I prefer to let it stand there now.

Senator TYDINGS. Returning for a moment, Mr. Browder, leaving out the association, of whether know these people, do you feel, inasmuch as they are employees, or have been and I believe still are employees of the State Department, do you not feel that you could at least answer this question: To your knowledge, is Mr. John Carter Vincent or Mr. Service, members of the Communist Party?

Those are the only two names I shall present to you.

Mr. BROWDER. Yes—before it was two other names. Now, it is two, maybe one by one we will get into a list of thousands.

Senator TYDINGS. These are employees of the State Department and we have had some testimony about them. I see your point of view. I am not arguing at the moment, but I do think you are defeating the purpose of this inquiry in a way that you perhaps do not realize, if you allow this to be obscured, and if you felt that you could answer, in the cases of Mr. Vincent and Mr. Service, I would be very grateful to you.

Mr. BROWDER. When I have received assurances that I will not be subjected to intimidation, to try to reduce me to the status of a Budenz, I will reconsider the question.

Senator TYDINGS. For the moment, so far as I am concerned, these are employees of the State Department, and will you not reconsider answering in these two names, the question—Do you, of your own knowledge, know whether either or both of them are members of the Communist Party?

Senator HICKENLOOPER. I want to call attention to the fact that I did not ask that question.

Senator TYDINGS. I understand. I am asking it. I did not interrupt anybody and I would like to try to get fairly the evidence in the case in which we are looking into the State Department employees.

I have nothing that is not apparent in the answer to my question.

Mr. BROWDER. Without in any way prejudicing my determination to resist—

Senator TYDINGS. I understand.

Mr. BROWDER. At any cost, the line of questioning pursued by Senator Hickenlooper, I would say that regarding the two names you mentioned, to the best of my knowledge and belief, they never had any direct or indirect connection with the Communist Party.

Senator TYDINGS. Thank you, sir.

Senator HICKENLOOPER. I do not want to leave it at the moment. The questions I had asked about the two men, were—I asked a question as to whether or not they attended the conference of the Chinese Communist leader. That was my question, with regard to those two people.

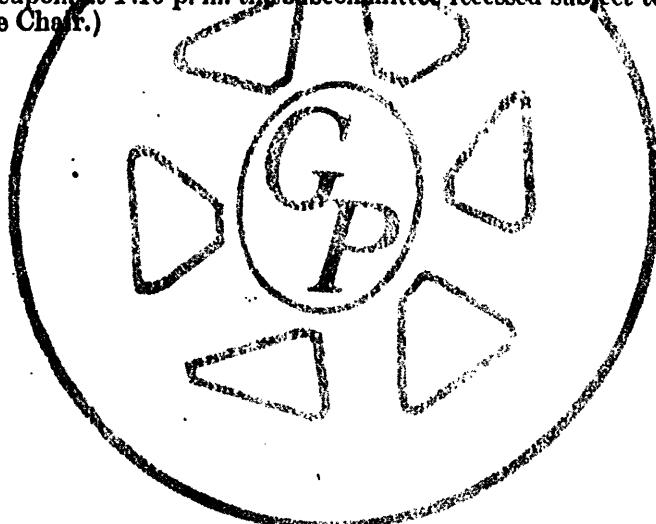
Senator TYDINGS. I understand. I think that we have reached a point now—it is a little after 1—don't leave the room, please, and add to the confusion. The press have some statements to get off, but the others, please remain so that we can invite you back some other time. We have reached the point where it is 1:05 in the afternoon, and we all have to vote beginning at 2 o'clock this afternoon, and do not know how long we will be tied up in the affairs on the Senate floor.

I understand that there are other witnesses here who were summoned to appear today. I would like to say to Mr. Browder, and to those other witnesses, I wish you would stay and I ask you and direct that you stay in Washington until we can communicate with you as to what the future plans of the committee are.

I rather think we shall meet tomorrow morning, and I hope we can. It will depend on circumstances which we cannot now apprise, so I will ask all witnesses to get in touch with Mr. Morgan, our chief counsel, for the purpose of acquainting him with where you will be so he can transmit later information to you, as soon as we know what it is.

If you will do that, the Chair will be very much obliged to you all, and we will take a recess subject to further call.

(Whereupon, at 1:10 p. m. the subcommittee recessed subject to the call of the Chair.)



STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

FRIDAY, APRIL 28, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to notice, at 10:30 a. m., in the caucus room, room 318, Senate Office Building, Washington, D. C., Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Senators Connally and Knowland, and Mr. Edward P. Morgan, chief counsel of the subcommittee.

Senator TYDINGS. The meeting will come to order.

I believe, Mr. Morgan, our first witness is Mr. Frederick Vanderbilt Field, is that correct?

Mr. MORGAN. That is correct, Mr. Chairman.

Senator TYDINGS. Mr. Field, will you take the stand right here, and hold up your right hand?

Do you solemnly promise and declare that the evidence you shall give in the case pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FIELD. I do.

TESTIMONY OF FREDERICK VANDERBILT FIELD

Senator TYDINGS. Give us your full name.

Mr. FIELD. Frederick Vanderbilt Field.

Senator TYDINGS. And your age?

Mr. FIELD. Forty-five.

Senator TYDINGS. And your post office or residential address?

Mr. FIELD. 16 West Twelfth Street, New York City.

Mr. TYDINGS. And your present business?

Mr. FIELD. Self-employed.

Senator TYDINGS. Mr. Morgan, you may proceed.

Mr. MORGAN. Mr. Field, I have before me here a mimeographed statement which I believe you desire to read at this point, is that correct?

Mr. FIELD. If I may do so, that is correct.

Mr. MORGAN. You may proceed.

Mr. FIELD. Gentlemen: According to the press, Louis Budenz is reported to have testified before this subcommittee that I am a Soviet

espionage agent and that I had reported to officials of the Communist Party at one time or another that Prof. Owen Lattimore was a Communist or a Communist agent or under Communist control. In addition, there are press reports that your committee was informed that a vanished witness, one John J. Huber, would have testified, had he not "blacked out," that I have attended a Communist Party meeting or meetings with the Lattimores. I have not been confronted by Budenz with this testimony nor have I had an opportunity to read a transcript of it. Similarly, I do not know what the vanishing witness' testimony would have been or may yet be.

I wish to take this occasion to deny under oath and without qualification or reservation of any kind any statement or implication that I have at any time ever been an espionage agent for the Soviet Union or for any other country. I make a similar unqualified denial with respect to any statement or implication that I have at any time attended a Communist Party meeting or meetings with Professor Lattimore or his wife, separately or together, or that I have ever stated, directly or indirectly, by implication or otherwise, that both or either of the Lattimores were Communists, Communist agents, or dominated by Communists. Any such statements are completely and utterly false.

I was employed by the Institute of Pacific Relations from 1928 to 1940, in the last 6 years as executive secretary of its American branch. During part of this period Professor Lattimore was a member of the international secretariat of the institute. I met with Professor Lattimore in connection with our institute work in the same way that I met many far-eastern specialists. Since I worked on the staff of the American branch and he worked on the staff of the international branch our relationship was limited because we were stationed, for the most part, in different cities or countries. Our association did not involve a relationship to the Communist Party in any way whatever.

Gentlemen, I must respectfully decline to testify before this committee concerning any other matters affecting my political views or affiliations, such as my alleged membership in or affiliation with the Communist Party. This declination is in the exercise of my rights, guaranteed to me under the fifth amendment to the Constitution of the United States. Furthermore, I am unwilling to stand apart from others, whether they be Communist or non-Communist, who have declined to answer such questions.

Under present circumstances the entire weight of the Government and of its various branches is being brought to bear against all thought, all political or cultural expression, all forms of organization which oppose the policy of the cold war. One cannot criticize the foreign policy of this Government without being officially castigated and publicly smeared. One cannot, for instance, organize a committee to advocate the opening of commercial and diplomatic relations with the People's Republic of China without being falsely branded as disloyal and the organization placed on the subversive list by the Attorney General and without facing persecution and possible prosecution.

Under such circumstances, it is my opinion that all progressive minded individuals must stand together in defense of the traditional American right to free expression and organization, in defense of the whole Bill of Rights, and, what today is of paramount importance,

in defense of the inalienable right and duty to advocate policies that will bring about a lasting peace.

Particularly the question, "Are you a Communist?" has become a principal weapon used by the Government in its attempts to intimidate and terrorize its critics. If those who are middle-of-the-roaders answer the question and say "No," reactionary fanatics immediately seek to condemn them by trying to identify them with others who may be Communists or who are nearer the Communist position. There was no end to this sort of thing in Germany nor in Japan; there will be no end to it here unless all of us who believe in democratic progress and peace stand together and put an end to it.

Mr. MORGAN. Does that conclude your statement, Mr. Field?

Mr. FIELD. Yes; it does, Mr. Morgan.

Mr. MORGAN. In view of some observations that you have made in your statement, I would like, initially, to read to you a portion of Senate Resolution 231, under which this subcommittee is functioning:

RESOLUTION

Resolved, That the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are or have been employed by the Department of State.

Mr. Field, in view of your statement, without further ado, I want to ask you the question at the outset: Are you now, or have you ever been, a member of the Communist Party?

Mr. FIELD. Mr. Morgan, for the reason I have stated already, I decline to answer that question.

Senator HICKENLOOPER. Mr. Chairman, I missed the question counsel asked.

Mr. MORGAN. I asked Mr. Field if he is now, or has ever been, a member of the Communist Party.

Your answer?

Mr. FIELD. I decline to answer on the ground I stated.

Mr. MORGAN. Would you care to state those grounds again?

Mr. FIELD. My privilege, under the fifth amendment of the Constitution.

Mr. MORGAN. Is it your understanding that to answer this question would incriminate you in some way or another?

Mr. FIELD. Mr. Morgan, I think I stated my ground fully. I have a copy of the fifth amendment with me. I think it includes the privilege that I have invoked.

Mr. MORGAN. Is it your understanding, Mr. Field, that it is a violation of law to be a member of the Communist Party of this country?

Mr. FIELD. I decline to answer that question, also, sir.

Mr. MORGAN. Going back to my first question, I ask you again: Are you now, or have you ever been, a member of the Communist Party?

Mr. FIELD. I say again, Mr. Morgan, that I decline to answer that question for the reason that I have stated.

Mr. MORGAN. I will ask the reporter to note on the record, if he will, please, that present at this time are the chairman of this committee, Senator Tydings, Senator Green, Senator Hickenlooper, and Senator Lodge; and I request the chairman of this committee to direct this

witness to answer this question as a proper one, and that this committee is entitled to an answer to this question as a proper one.

Senator TYDINGS. The reporter will turn back and read the exact question to me.

(The record was read as follows:)

Mr. FIELD, in view of your statement, without further ado, I want to ask you the question, at the outset: Are you now, or have you ever been, a member of the Communist Party?

Senator TYDINGS. Mr. Field, I would like to ask you specifically this question: Are you now or have you ever been a member of the Communist Party?

Mr. FIELD. Mr. Chairman, in my original statement, I specifically informed this subcommittee that I declined to testify on this, or related questions; and, in so doing, I said that I was exercising my rights guaranteed to me under the fifth amendment of the Constitution of the United States.

In reply to your repeated question, I must also repeat my same answer.

Mr. MORGAN. Mr. Chairman, I would like to observe that, in my opinion, the witness appears before this committee in a proceeding of this character, pursuant to a resolution under which we function, that this committee is entitled to know the disposition of the witness with respect to matters of this character. I regard this question as a proper one. I feel that the committee is entitled to an answer to this question, and I would request that the committee take official notice of the fact that Mr. Field has refused to answer the question and that at an appropriate time, the committee consider the fact that he has refused to answer the question.

Senator TYDINGS. That will, of course, be laid before the committee; or rather, come up before the committee in executive session.

Mr. MORGAN. Now, going on to other considerations, I believe you state that you are not familiar with the testimony that has been given in this proceeding with respect to you, particularly. Therefore, I am going, at this point, to proceed through the testimony in our record wherein your name is mentioned, and request your observations, from time to time, concerning those matters appearing in the record.

On page 1039—

Mr. FIELD. Mr. Morgan, would you mind waiting a moment until I get a pad out and make some notes?

Mr. MORGAN. Certainly.

Mr. FIELD. Thank you.

Mr. MORGAN. Before proceeding along that line, however, I want to ask you, Mr. Field, if, during the month of October of 1937, you were present at a meeting at 35 East Twelfth Street in New York City, at which there were in attendance you, Alexander Trachtenberg, Earl Browder, J. V. Peters, and others?

Do you recall such a meeting?

Mr. FIELD. For the reasons I have already stated, Mr. Morgan, I decline to answer that question.

Mr. MORGAN. Would you indicate those reasons again for this question?

Mr. FIELD. Yes, my privilege, the fifth amendment of the Constitution of the United States.

Mr. MORGAN. Mr. Chairman, I request again that you direct this witness to answer that question as a perfectly proper one, and within the scope of prerogative here today.

Senator TYDINGS. The reporter will turn back and read the question; and, Mr. Field will consider that I am asking him the question as the reporter reads it, and I do this so that I may state the question in exactly the same form it was stated by Mr. Morgan.

(The record was read as follows:)

Before proceeding along that line, however, I want to ask you, Mr. Field, if, during the month of October of 1937, you were present at a meeting at 35 East Twelfth Street in New York City, at which there were in attendance you, Alexander Trachtenberg, Earl Browder, J. V. Peters, and others?

Do you recall such a meeting?

Senator TYDINGS. I direct you, Mr. Field, to respond to that question.

Mr. FIELD. Mr. Chairman, I decline to respond to that question, and I invoke my privilege under the fifth amendment, that the answer might be self-incriminating.

Senator TYDINGS. Go ahead.

Mr. MORGAN. Earl Browder—

Mr. FIELD. I decline to answer that question for the reason already stated.

Mr. MORGAN. Do you know Alexander Trachtenberg?

Mr. FIELD. Same answer.

Mr. MORGAN. Do you know the gentleman sitting beside you there?

Mr. FIELD. Yes, sir; I do.

Mr. MORGAN. Who is it, please, for our record?

Mr. FIELD. My attorney, Mr. Harold Cammer.

Mr. CAMMER. Harold Cammer, C-a-m-m-e-r.

Mr. MORGAN. On page 1039 of this record we have the testimony of a witness who appeared before this committee, Mr. Louis F. Budenz, who has stated as follows:

I knew Frederick Vanderbilt Field, a Communist whom I first knew as Comrade Spencer—

Senator HICKENLOOPER. What was the name?

Mr. MORGAN. Spencer. I ask you, Mr. Field, if you ever have been known by the alias of Spencer or Comrade Spencer?

Mr. FIELD. I decline to answer that question, Mr. Morgan, for the reason I have already stated.

Mr. MORGAN. I want to say here, Mr. Chairman, that I hope to ask this witness a great many questions, and that to avoid asking you to direct his answer on each occasion, we will take them cumulatively, at the end.

Senator TYDINGS. That will be all right. In other words, you understand, Mr. Field, that at the end I am going to ask you a cumulative question, for the record, so that you may make the reply in toto, to all the questions that have been asked individually, as we are proceeding.

Mr. FIELD. I understand, Mr. Chairman.

Mr. MORGAN. Also at this point, Mr. Field, I would like to ask you if you know Mr. Owen Lattimore?

Mr. FIELD. Yes, I do, Mr. Morgan.

Mr. MORGAN. When did you first meet Mr. Lattimore?

Mr. FIELD. I couldn't say—I can't say exactly, but it was in the early 1930's, I should think, probably 1933 or 1934. It would be whenever Mr. Lattimore, or shortly after Mr. Lattimore became employed by the Institute of Pacific Relations, in which I had already been working.

Mr. MORGAN. What year?

Mr. FIELD. I would say, roughly 1934, something like that; but I am not perfectly certain of that.

Senator TYDINGS. Approximately?

Mr. FIELD. Yes.

Mr. MORGAN. You have therefore known Mr. Lattimore since 1934, is that correct?

Mr. FIELD. That is correct.

Mr. MORGAN. What has been the nature of your association with him, since that time?

Mr. FIELD. Well, I tried to indicate it generally in my opening statement. We were both employed by the Institute of Pacific Relations. I have been working there myself since 1928. I had, with very brief intervals, the intervals having occurred before Mr. Lattimore came to the organization, worked for the American branch of this organization, as distinguished from its international secretariat. Mr. Lattimore, if I am not mistaken, also worked for the international secretariat of the institute.

My relations with him, in the institute, were that of professional colleague. I had similar relations with a great many other specialists in far eastern affairs. As I stated in the statement, my association with Mr. Lattimore himself was somewhat limited by two factors; one, was that we worked in separate branches of this organization; and secondly, and flowing from that, that we worked in different parts, either of the United States or he arrived at one time or other, and I at one time or another, would be stationed abroad.

Mr. MORGAN. I would like to ask, Mr. Field, in view of the fact that you have declined to answer whether you know Mr. Browder, Mr. Trachtenberg, why you admit that you do know Mr. Lattimore? Can you distinguish that for us, why you decline, on one case and do not decline on another?

Mr. FIELD. I think, Mr. Morgan, I should decline to answer that question.

Mr. MORGAN. Would you care to indicate why?

Mr. FIELD. Yes; on the ground that I am privileged to decline a question which may or may not lead me into an area which I feel may possibly lead to a conversation that might incriminate me.

Mr. MORGAN. Is it seriously your thought, Mr. Field, that to answer that question would, in some way, be a transgression of your rights under the fifth amendment of the Constitution?

Mr. FIELD. I think I have answered your question a moment ago, as clearly as I can possibly put it, Mr. Morgan. I will repeat the same answer.

Mr. MORGAN. During the period from 1934 forward I would like for you to indicate for our committee the specific occasions, as best you can, on which you have met Mr. Lattimore?

Mr. FIELD. That is a very hard thing to do.

Mr. MORGAN. I realize that.

Mr. FIELD. I would be perfectly willing to. I have no—I have no diary. It is very hard to remember 1934 and 1935, every event.

Mr. MORGAN. Let's suppose we do it in this way—

Mr. FIELD. Let me answer it generally: We were both employed by the same organization, under the circumstances I have already described, that is, by different branches of the organization. In the nature of my work, I was brought together with Lattimore from time to time. There would be committee meetings, this organization held a number of international conferences in various parts of the world where all branches of the organization and all member countries came together. I attended a number of these, and I believe Mr. Lattimore attended several of them also. I would meet him under such circumstances.

For certain weeks, and I can't possibly tell you just when they were, or when they came, we would both be working in, let's say, the New York office of the organization.

Mr. MORGAN. Let's go at it inversely, in view of the fact that there is some difficulty, of course, in recalling that far back, let's start as of today, and go backward, and will you recall for us your association with Mr. Lattimore from today, let us say, back as far as your memory will permit you to go?

Mr. FIELD. Well—

Mr. MORGAN. What is your most recent association with Mr. Lattimore?

Mr. FIELD. I have been trying to think, in the last week or so when I—the last time I saw Mr. Lattimore. It is my own recollection that I haven't seen him, I would say in roughly 5 or 6 years, something like that.

Now, in saying this, I must add, and put some emphasis on the fact that I say "to the best of my recollection." I may be mistaken, but I don't think so. This is the best of my recollection.

Mr. MORGAN. And what was that occasion?

Mr. FIELD. Oh, I do not remember.

Mr. MORGAN. Was it a social meeting?

Mr. FIELD. Well, Mr. Morgan, I think anyone has a great deal of difficulty in thinking back of any sort of chance meeting with somebody as far back as the early forties and I can't say, for absolute certainty, that exactly when or under what circumstances I last saw Mr. Lattimore. It is possible, I think now I can perhaps answer that: I remained a member of the board of trustees of the Institute of Pacific Relations until the middle forties. That is, after I resigned from the staff in 1940, I remained as a trustee of this organization. Mr. Lattimore, if I am not mistaken, was also a trustee.

This board would have annual meetings, semiannual meetings, and it is very likely that I met him under those circumstances; in other words, circumstances still associated with the Institute of Pacific Relations.

Mr. MORGAN. And that occurred some 5 years ago?

Mr. FIELD. That would have occurred possibly during the early forties.

Mr. MORGAN. And that is the last contact or association you have had with Mr. Lattimore?

Mr. FIELD. That is the last one I can possibly remember; yes.

Mr. MORGAN. Have all of your contacts with Mr. Lattimore been within the purview of the work of the Institute of Pacific Relations?

Mr. FIELD. Yes.

Mr. MORGAN. Have you ever met with Mr. Lattimore or Mrs. Lattimore, for that matter, socially at any time?

Mr. FIELD. I'd say, in a normal and somewhat limited social way, that colleagues in any type of work occasionally meet together.

Mr. MORGAN. You reside in New York City?

Mr. FIELD. Yes; I do.

Mr. MORGAN. What is your address?

Mr. FIELD. I have already given it, sir.

Mr. MORGAN. Repeat it.

Mr. FIELD. 16 West 12th Street.

Mr. MORGAN. Have you ever entertained the Lattimores in your home in New York City?

Mr. FIELD. I think it is possible they have been there. When you ask me if I ever entertained them, I don't quite know how you mean that word. I don't remember their coming for an evening, or anything like that.

Mr. MORGAN. They didn't force themselves upon you, they were at your home, is that correct?

Mr. FIELD. I think they have been, yes. I think practically I would say, could say, that all my people with whom I worked, at one time or other, have probably been in my home.

Mr. MORGAN. And on what occasion was that, when was that, do you remember?

Mr. FIELD. No, I do not remember any specific circumstances.

Mr. MORGAN. Have you ever utilized your home as a meeting place for fund-raising campaigns for various organizations?

Mr. FIELD. I decline to answer that question, Mr. Morgan, for the ground that I have already stated.

Mr. MORGAN. You mean you have never at any time, or you refuse to answer?

Mr. FIELD. I decline to answer the question.

Mr. MORGAN. As to whether you have ever utilized your home for fund-raising campaigns for any type of organization?

Mr. FIELD. That is right.

Mr. MORGAN. That certainly is one question, Mr. Chairman, I would specifically request that you direct him to answer.

Senator TYDINGS. The reporter will repeat the question and Mr. Field will consider that I am asking it. I will ask the reporter to read it for the purpose of accuracy.

(The record was read as follows:)

Have you ever utilized your home as a meeting place for fund-raising campaigns for various organizations?

Mr. FIELD. Mr. Chairman, I decline to answer that question on the ground that the answer might be self-incriminating.

Mr. MORGAN. Mr. Field, I would like to know if you care, at this point, off the record, to indicate to the members of this committee any reasons you might have for not answering that question?

Senator HICKENLOOPER. I object to anything being taken off the record here, Mr. Chairman.

Mr. MORGAN. I was thinking, Senator Hickenlooper, in terms of the witness' refusal to elaborate on his reason for not doing this. I was

thinking that the chairman of this committee, in the province of the court, sometimes will let the witness explain his reason therefor, and of course, if we have an objection to that procedure, why, that is quite all right.

Senator HICKENLOOPER. If the committee wants to go into executive session and clear the room, and all that sort of business, such as they do in a court when such situations arise, that is a different question; but I object to anything being said here in public, off the record. I strongly object to that.

Senator TYDINGS. Proceed, Mr. Morgan.

Mr. MORGAN. Did you ever know a man named Louis F. Budenz?

Mr. FIELD. I decline to answer that question, Mr. Morgan, on the ground that the answer might be self-incriminating.

Mr. MORGAN. Have you ever made financial contributions to the Institute of Pacific Relations?

Mr. FIELD. I decline to answer that question for the same reasons.

Mr. MORGAN. Is the Institute of Pacific Relations, to your knowledge, a Communist organization?

Mr. FIELD. No, it is not.

Mr. MORGAN. I ask you again, have you ever made financial contributions to that organization?

Mr. FIELD. I repeat my answer, Mr. Morgan.

Senator TYDINGS. I would like the reporter to go back to the last three questions and answer directed to Mr. Field and read them aloud.

(The record was read as follows:)

Mr. MORGAN. Have you ever made financial contributions to the Institute of Pacific Relations?

Mr. FIELD. I decline to answer that question for the same reasons.

Mr. MORGAN. Is the Institute of Pacific Relations, to your knowledge, a Communist organization?

Mr. FIELD. No, it is not.

Mr. MORGAN. I ask you again, have you ever made financial contributions to that organization?

Mr. FIELD. I repeat my answer, Mr. Morgan.

Senator TYDINGS. Mr. Field, listen to this, because it is possible there may be some ambiguity in what you intended to say, and what certain people assumed that you said, room for some disagreement.

Now, when you say you repeat your answer, it is obvious you don't mean to refer to the answer just ahead, but in cold print, without further explanation, it will appear that way; so, will you please clear that up?

Mr. FIELD. Thank you, Mr. Chairman, for giving me the opportunity to straighten this out.

My answer to the question regarding whether I ever made a contribution to the Institute of Pacific Relations—I can certainly answer that it works both ways: I was paid by the institute, I was on salary and made occasional contributions toward its budget. I think that these are all matters of public record. The contributions were published always, all the contributions, in an effort to get others to contribute.

Senator TYDINGS. Now, in—had you finished that part?

Mr. FIELD. Yes.

Senator TYDINGS. Now, in connection with that, the question was asked you whether or not, to your knowledge—I am not giving the exact words, but the substance of what was asked—whether or not,

to your knowledge, the Institute of Pacific Relations—what was the terminology you used—was a Communist organization—and you made a reply to that.

Now, will you repeat that reply now?

Mr. FIELD. My reply was "No"; no, it is not. I should also say, "No, it was not"; but I could also perhaps add to that, and say that there is nothing that has ever come to my attention which would give me the slightest reason for me to believe that it was a Communist organization.

SENATOR TYDINGS. Now, I think we have the possible ambiguity cleared up. Go ahead, Mr. Morgan.

Mr. MORGAN. For the time being, Mr. Field, I am going to another matter.

Are you familiar with the publication known as Amerasia?

Mr. FIELD. Yes, I am.

Mr. MORGAN. Were you ever associated with that publication in any official capacity?

Mr. FIELD. Yes, I was.

Mr. MORGAN. What was that capacity?

Mr. FIELD. I was chairman of its editorial board from the time of its inception, which was sometime, I think, in 1937, until I believe it was, November 1943.

Mr. MORGAN. Did you write articles for that publication?

Mr. FIELD. Yes, a great many.

Mr. MORGAN. During that period, did you know one Philip Jaffe?

Mr. FIELD. Mr. Chairman—Mr. Morgan, I decline to answer that question.

Mr. MORGAN. Was Mr.—

Mr. FIELD. On the grounds I have stated previously.

Mr. MORGAN. Was Mr. Jaffe the managing editor of that publication?

Mr. FIELD. Put it this way, Mr. Morgan: It is a matter of public knowledge that he was.

Mr. MORGAN. While you were chairman of the editorial board of this magazine, did you know one T. A. Bisson, B-i-s-s-o-n?

Mr. FIELD. Mr. Morgan, I decline to answer that question on the grounds that I have already stated.

Mr. MORGAN. Was Mr. Bisson a member of the editorial board of that publication?

Mr. FIELD. He was at some time, and I would have to look up the masthead of the magazine, which will be found at any public library, to find out when it was. I don't remember the period.

Mr. MORGAN. During this period of association with Amerasia, did you know one William W. Lockwood?

Mr. FIELD. I decline to answer that question, Mr. Morgan, on the grounds I have stated.

Mr. MORGAN. State those grounds again, please.

Mr. FIELD. On the ground that my answer might be self-incriminating.

Mr. MORGAN. Care to elaborate at all on why you have declined to answer beyond that point?

Mr. FIELD. Well, in answering previous questions, I think I have made some elaboration, which applies to this.

Mr. MORGAN. You care to add nothing at this point?

Mr. FIELD. Mr. Morgan, I can't very well enter into an elaboration or explanation of the privilege which I have claimed, because going into such a discussion would destroy the privileges that I am claiming.

Mr. MORGAN. Well, the reason I ask that, Mr. Field, is this: I view this as a rather serious matter, and I want to give you every opportunity to explain on this record why you are declining to answer them. If you have nothing further to say, that is quite all right.

Now, I ask you: During the period of your association with Amerasia, did you know one Edward C. Carter?

Mr. FIELD. Mr. Morgan, I decline to answer that question on the ground already stated.

Mr. MORGAN. During the period of your association with the publication, Amerasia, did you know one Owen Lattimore?

Mr. FIELD. I have already stated that I did know Professor Lattimore.

Mr. MORGAN. What position, if any, did he occupy in connection with the publication Amerasia?

Mr. FIELD. Do you happen to have a file of the magazine here, because I would truly have to look it up to inform you. It is a matter of public knowledge. If he appeared on the masthead, he was a member of the board. I honestly don't recollect whether he was or not.

Mr. MORGAN. During this period of your association with Amerasia magazine, did you know one Benjamin Kizer, K-i-z-e-r?

Mr. FIELD. I decline to answer that question on the ground stated.

Mr. MORGAN. During this period, did you know one Kate Mitchell?

Mr. FIELD. Same answer, Mr. Morgan.

Mr. MORGAN. What is that answer?

Mr. FIELD. I decline to answer on the ground stated.

Mr. MORGAN. Did you know one Harriet Moore, M-o-o-r-e, during this period?

Mr. FIELD. I decline to answer that question, Mr. Morgan, on the ground stated.

Mr. MORGAN. During this period, did you know one Anne Louise, or Anna Louise Strong?

Senator TYDINGS. Will you suspend, just a moment, please?

(Discussion was off the record.)

Senator TYDINGS. Proceed, Mr. Morgan.

Mr. MORGAN. I have asked you concerning nine different individuals during the period of your association with Amerasia. You have declined to answer in the case of eight of those individuals, on the ground that to answer might incriminate you. The only one of these nine individuals that you have indicated as knowing is Owen Lattimore. Will you indicate to the committee why you acknowledge having known Mr. Lattimore during this period, and decline to answer with respect to the other eight individuals?

Mr. FIELD. Mr. Morgan, it quite obvious to me that if I were to give my reasons to you, the privilege which I have claimed would be destroyed.

(Discussion was off the record.)

Senator TYDINGS. All right.

Mr. MORGAN. Mr. Reporter, will you read the last comment I made on the record?

(The record was read, as follows:)

I have asked you concerning nine different individuals during the period of your association with Amerasia. You have declined to answer in the case of eight of those individuals, on the ground that to answer might incriminate you. The only one of these nine individuals that you have indicated as knowing is Owen Lattimore. Will you indicate for the committee why you acknowledge having known Mr. Lattimore during this period, and decline to answer with respect to the other eight individuals?

Mr. MORGAN. Would you answer that question?

Mr. FIELD. Is it possible to have my previous answer read back to me? I thought I answered.

Mr. MORGAN. Did he answer?

Senator TYDINGS. Yes; he answered.

Mr. MORGAN. Read back his answer to that question, please.

(The record was read, as follows:)

Mr. FIELD. Mr. Morgan, it is quite obvious to me that if I were to give my reasons to you, the privilege which I have claimed would be destroyed.

Mr. MORGAN. Am I correct in saying, therefore, that it is your position that to answer the question we have indicated, namely, why you acknowledge knowing Mr. Lattimore, and refuse to answer with respect to the other eight individuals, would tend to incriminate you; is that correct?

Mr. FIELD. Mr. Morgan, I have throughout this questioning used this ground of possible self-incrimination as a reason for declining to answer; and the same ground would apply to this last question.

Mr. MORGAN. That ground applies to the question here; is that correct?

Mr. FIELD. Yes, sir. Mr. Chairman, I wonder if you could interpolate a moment and request that—ask if I would assert more precisely and specifically the basis of my refusal to answer your first question to me, as to my membership in the Communist Party? And I should like to place the ground for my declination in the case of that request.

Senator TYDINGS. You may do that.

Mr. FIELD. On the same ground, that the answer might have been self-incriminating.

Mr. MORGAN. Now, Mr. Field, you have explained on the public record here the basis for your refusal to answer.

I would like to ask you, noting that your attorney is there at your side, whether you would like to elaborate, for this committee, either here or elsewhere, on the reasons for your declination to answer the questions with which we are concerned?

Mr. FIELD. Mr. Morgan, I believe my reasons have been fully stated.

Mr. MORGAN. You have nothing to add?

Mr. FIELD. I have nothing to add.

Mr. MORGAN. I have asked you concerning these nine individuals whose names are now in our record, in connection with your association with the publication Amerasia. You have advised us this morning of your association with the organization, Institute of Pacific Relations. I believe you stated that you were secretary and a member of the American council of that organization, is that correct, at one time?

Mr. FIELD. That is right.

Mr. MORGAN. Now, during the period of your association with that organization, which I believe you have stated, and correct me if I am wrong, was not a Communist organization—is that correct?

Mr. FIELD. The Institute of Pacific Relations? Correct.

Mr. MORGAN. Was not a Communist organization?

Mr. FIELD. To the best of my knowledge.

Mr. MORGAN. Now, I ask you if, during the period of your association as secretary and member of the American council, in the Institute of Pacific Relations, you knew a man named Philip Jaffe, in connection with the work in the Institute of Pacific Relations?

Mr. FIELD. Well, Mr. Morgan, I decline to answer that question on the ground already given.

Mr. MORGAN. During the period of this association in the Institute of Pacific Relations, did you know T. A. Bisson?

Mr. FIELD. Mr. Morgan, I have declined to answer any question with respect to any individuals in this inquiry with the exception of Professor Lattimore, on the ground that I stated.

Mr. MORGAN. That it might incriminate you?

Mr. FIELD. That it might incriminate me.

Mr. MORGAN. To expedite the matter, I had intended to ask you concerning all nine of these individuals concerning whom I interrogated you in connection with Amerasia.

Is your answer the same with respect to your association with them and the Institute of Pacific Relations?

Mr. FIELD. Yes. If you asked me, I would decline to answer; yes, sir.

Mr. MORGAN. What are the publications of the Institute of Pacific Relations?

Mr. FIELD. What are they, or what were they at the time I was there?

Mr. MORGAN. Well, what were they?

Mr. FIELD. The Institute of Pacific Relations has published something like five or six hundred books, a great many pamphlets—

Mr. MORGAN. Does it have any current periodicals?

Mr. FIELD. It has current periodicals.

Mr. MORGAN. What were they?

Mr. FIELD. It has a great many.

Limiting myself to one published by the American branch, called the Far Eastern Survey, which originally was called something else, might have been on a memorandum, or something like that, one developed into the other—The international body of the Institute of Pacific Relations published a magazine which, at one time, was a monthly; at another time, a quarterly, called Pacific Affairs; published irregularly a research bulletin, I think it was, called IPR Notes or something like that. There were a whole series of publications.

Then the different national councils in the other 10 countries had their own publications.

Mr. MORGAN. In September of 1945, did you write an article bearing the title, "Avert Civil War in China," which appeared in the publication Political Affairs?

Mr. FIELD. I decline to answer that, Mr. Morgan, on the ground that the answer might be self-incriminating.

Mr. MORGAN. Mr. Chairman, I request you to direct this man to answer this question. This publication is one available to any of us

over in the Congressional Library. I have asked this man if he wrote the article. I would like for you to direct him to answer the question.

Senator TYDINGS. Mr. Field, unless there is some special reason that seems pretty apparent to the Chair, if this article is in the magazine over your name, that to say you can't answer that question is stretching the immunity a little far, and I would respectfully ask you to consider that and make answer.

Mr. FIELD. Mr. Chairman, in reply I would again most respectfully ask permission not to answer the question on the ground that I have stated, and to repeat something that I said in a similar connection earlier in the hearing, to the effect that a question such as this, in my opinion, begins to draw me into an area in which I do not wish to be drawn, for the reasons that I do not want to; I might incriminate myself and it is for that reason I do not want to engage in this.

Mr. MORGAN. Mr. Chairman, if I may suggest, it is my understanding that this proceeding is not altogether to accede to the wishes of Mr. Field. I think that this is of the greatest pertinence to our inquiry, and I again request that he be directed to answer the question.

Senator TYDINGS. The purpose of this committee, counsel, is to obtain evidence that is pertinent to the inquiry. Therefore, the chairman always feels that it is a most appropriate way to proceed, to try to keep a degree of harmony between the witness and the committee to accomplish the end of receiving testimony.

However, in the instant case I'd like the question read, and I would like to ask you personally to speak to Mr. Field, and direct him to make answer thereto.

Of course, if answer is made, Mr. Field can, at any time after the answer is made, use his right when he thinks the area which he has outlined has been reached, but it does not seem to the Chair that if this is a written article, in a publication that is relatively available and can be offered as an exhibit, that we have reached any area where the immunity would properly lie.

Mr. FIELD. Mr. Chairman, without the question being repeated again, out of respect for the Chair, my writings are a matter of public record. They can be found anywhere. I frankly don't remember whether I wrote the article in that particular month or not. If there is evidence that I did, I doubtless did, and would be glad to acknowledge it.

Senator TYDINGS. Thank you.

Mr. FIELD. But, in answering, Mr. Chairman, I again would like to repeat that in my opinion, this question does come into the area in which I am unwilling to testify.

Senator TYDINGS. Go ahead, Mr. Morgan.

Mr. MORGAN. In view of the answer given, Mr. Chairman, I would like to refer to an article of more recent date, one in January of 1948, appearing on page 63 of the publication Political Affairs, entitled "New China Program of the American Interventionists," written by Frederick V. Field, and ask you, Mr. Field, if you wrote that article?

Mr. FIELD. Mr. Morgan, I decline to answer that question on the ground that I have stated, and elaborated upon, in the recent moments.

Mr. MORGAN. I ask, Mr. Chairman, that the witness be directed to answer the question.

Senator TYDINGS. That seems to the Chair to be a perfectly fair and proper question, and inasmuch as it is a matter, perhaps I would say,

of public record, and can be offered in as an exhibit, it seems to me that the claim of immunity here which is the witness' right in certain cases, is not well sustained and the Chair will have to direct the witness to answer the question.

The mere identification of an article that is a matter of public record is not, within the opinion of the Chair, a proper area for the claim of immunity.

Mr. FIELD. Mr. Chairman, I did give an answer to the first question, at your request; but I feel now that with a persistent line of similar questioning, I am being drawn into an area in which I don't want to make answer, and therefore I do decline to answer that question on the grounds I have stated.

Mr. MORGAN. Mr. Chairman, it is obvious to me that it is impossible to develop a line of interrogation which I have in mind, with respect to this witness, I believe that our investigation reveals that this witness has functioned in an area that is most significant to this investigation. I frankly state, and want to state on the record, that this is, in my opinion, a matter of the most serious character. I regard it personally as contemptuous. I feel that Mr. Field, by his refusal to answer questions that are pertinent to our inquiry, is evidence of contempt of this committee and, as counsel to the committee, I request that it take official cognizance of that situation and that Mr. Field be directed to make himself available to this committee during the course of the day, after consideration has been given to the question of contempt.

Senator TYDINGS. For the record, I would like to ask the members of the committee, Senators Lodge, Hickenlooper, and Green, as well as the chairman being present, if what I have said to the witness, and the questions I have put to the witness, receive the support of all members of the committee present?

(Discussion was off the record.)

Senator TYDINGS. The record will show that the chairman has interviewed the members of the committee and they are in accord with the procedure that he is adopting; and, I would like to ask them, furthermore, if they are now in accord with the demand of the chairman, of the witness, to answer the questions to which the Chair has referred?

(Discussion was off the record.)

Senator TYDINGS. The record will show —

Senator LODGE. What was the last one?

Senator TYDINGS. That after the witness declined, the members of the committee approved the demand of the chairman, of the witness to answer the questions.

Senator LODGE. Yes; I think so.

Senator TYDINGS. And, the committee stands united behind the chairman and supports him in that demand.

Mr. MORGAN. Mr. Chairman, as I have indicated before, in view of the position taken by this witness, it is impossible further to develop the line of interrogation which I believe is of great pertinence to this inquiry under Senate Resolution 231 of the Eighty-first Congress, second session. I, therefore, at this point have no further interrogation of this witness, and would repeat my request that the committee consider, at the earliest possible time, the refusal of this

witness to answer, and that this witness be directed to hold himself in readiness, dependent upon the action taken by this committee upon consideration of this matter.

Senator TYDINGS. Taken under advisement.

Senator Hickenlooper, do you have any questions?

Senator HICKENLOOPER. Yes; I have, Mr. Chairman.

Mr. FIELD, have you contributed at any time, funds or property of value of your own, or which you may have received from some other source, to the Daily Worker?

Mr. FIELD. Senator Hickenlooper, I must decline to answer that question on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Or, have you contributed any such funds or property of value from any such sources, to either Amerasia, the magazine Amerasia, or the magazine or organization known as Far Eastern Survey, or the paper or magazine or periodical called the New China Daily?

Mr. FIELD. Senator Hickenlooper, I must decline to answer those questions on the ground that the answers might be self-incriminating.

Senator HICKENLOOPER. Have you helped to finance, either through your own funds, or property, or the funds or property of others which you might have acquired or received, the publication known as the New Masses?

Mr. CAMMER. Mr. Chairman, may I ask a question at this point?

Senator TYDINGS. You may, if you represent Mr. Field.

Mr. FIELD. He does.

Mr. CAMMER. I should like to ask whether it is the opinion of this subcommittee that Senator Hickenlooper's last question is pertinent to the inquiry of this subcommittee?

Senator TYDINGS. Mr. Cammer—

Mr. CAMMER. Yes, sir.

Senator TYDINGS. Mr. Cammer, there is no rule concerning the scope of testimony before a Senate hearing. For your information, if we were proceeding with matters in a court of law, the rules of evidence would apply. For example, no hearsay evidence would be permissible. Other restrictions on the kind of evidence and the manner and shape and form of presenting it would be applicable. The best evidence would always have to be presented in lieu of secondary or third-rate evidence.

However, in a congressional inquiry, these rules are not observed, and it is pretty much within the Senator's discretion, who is asking the questions, as to what limitation, if any at all, he desires to put on the testimony; and the manner it is adduced and proof that is adduced is entirely up to him. So, therefore, I would have to advise you that there is no yardstick for which I, as chairman, can rule on whether the question is proper or improper. I have very strong opinions about many of these matters, myself, but so have my colleagues and I must abide by their opinions, as well as my own.

Mr. CAMMER. Mr. Chairman, my question was addressed to the point whether it was pertinent to any inquiry as to whether State Department employees are disloyal to the United States, to inquire whether Mr. Field, who was never employed by the State Department, made contributions to a magazine.

Senator TYDINGS. Well, let me say this: That that is a matter entirely up to the man on the committee, the member of the committee, the Senator who asked the question.

We have even testimony of this kind, so you may know when I say this, with no reflection on anyone, a man may come and say that he has heard another man is thus, something or other. You ask him if he knows it of his own knowledge. He would say "No," but that doesn't make any difference, but he can still tell what he heard, without supporting proof of it.

Mr. CAMMER. Your point is addressed to evidentiary rules, and my point is addressed to what the Washington Post this morning referred to as, I think, onomatophilia, a new word I learned this morning; and, you have ruled, however, and Mr. Field will make an appropriate answer.

Mr. FIELD. Senator, I decline to answer that question on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know, Mr. Field, a man named Larry Duggan, D-u-g-g-a-n?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that I have stated.

Senator HICKENLOOPER. Did you ever make a trip to Washington, to confer with a man named Larry Duggan?

Mr. FIELD. I decline to answer that question on the ground the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know an Elizabeth Bentley?

Mr. FIELD. I decline to answer that question on the ground the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know Whittaker Chambers?

Mr. FIELD. I decline to answer that question on the ground the answer might be self-incriminating.

Senator HICKENLOOPER. Did you ever confer with or have a meeting with Owen Lattimore, Joseph Barnes, Earl Browder, John C. Vincent, Haldore Hanson, and perhaps others, or any of those whom I have mentioned, at a meeting at the home of your mother?

Mr. FIELD. No, I did not.

Senator HICKENLOOPER. Do you know John S. Service?

Mr. FIELD. I decline to answer that question on the grounds stated.

Senator HICKENLOOPER. And those grounds, will you please state them again?

Mr. FIELD. On the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know a Chinese by the name of Tung Pi Wu, T-u-n-g P-i W-u?

Mr. FIELD. I decline to answer that question on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know Dr. Philip Jessup?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know—have you known such a man as President Roosevelt, former President Hoover, Ambassador Grew?

Mr. FIELD. That is a difficult question. You say "such men"?

Senator HICKENLOOPER. Have you known those people?

Mr. FIELD. I know a great many men, Mr. Senator.

Senator HICKENLOOPER. Are you acquainted with those men, or would you decline to answer that question on the ground that it might be self-incriminating?

Mr. FIELD. I have never known the late President Roosevelt, if that is your question.

Senator HICKENLOOPER. Do you know Agnes Smedley?

Mr. FIELD. I decline to answer that question, Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Did you contribute any money or thing of value, other than, outside of personal services, to the magazine China Today at any time in the past?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Did you know Mr. Philip Jasse, under the name of J. W. Phillips as manager of the magazine—

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Do you know or have you ever met one Vassili M. Zubertin, V-a-s-s-i-l-i, middle initial "M," last name Z-u-b-e-r-t-i-n?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. I believe he was former financial secretary of the Soviet Embassy in Washington.

Mr. FIELD, as publisher of the magazine Amerasia, how often did you confer with Owen Lattimore on magazine affairs?

Mr. FIELD. I never conferred with him, Mr. Senator. I wasn't publisher of the magazine, either.

Senator HICKENLOOPER. Your position was that of editor?

Mr. FIELD. It is on the record, already. I said I was chairman of the editorial board.

Senator HICKENLOOPER. Do you know Alger Hiss?

Mr. FIELD. I decline to answer that question on the ground that to answer might be self-incriminating, Mr. Senator.

Senator HICKENLOOPER. At the time certain people connected with the Amerasia case were arrested, did you contribute money, or anything of value, to a defense fund for the purpose of defending those people against prosecution?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Do you own any property, do you own a farm in New England, any estate in New England?

Mr. CAMMER. I would like the Chair to rule on that, if I might, as to how that is possibly pertinent into an inquiry as to whether the State Department employs disloyal people.

Senator TYDINGS. Repeat your question.

Mr. CAMMER. I should like the Chair to rule, if I may, upon whether that question has any possible pertinence to any inquiry as to whether the State Department employs or has employed disloyal personnel.

Senator TYDINGS. That is something I cannot say, and a court, in a court of law, of course, the court would ask what line is supposed to be followed, to tie in such a question; but we are both the court here, and, rather, the judges and the attorneys, to a large ex-

tent; so, therefore, it will be up to Senator Hickenlooper to decide whether that is pertinent or not.

Mr. FIELD. Would you repeat the question, Mr. Senator?

Senator HICKENLOOPER. I asked whether or not you owned a farm or residence property in New England?

Mr. FIELD. I do own residence property, not a farm.

Senator HICKENLOOPER. Where is that?

Mr. FIELD. In Connecticut.

Senator HICKENLOOPER. Connecticut?

Mr. FIELD. Yes.

Senator HICKENLOOPER. Do you own any property in either New Hampshire or Vermont?

Mr. FIELD. No.

Senator HICKENLOOPER. Vermont?

Mr. FIELD. No, I do not.

Senator HICKENLOOPER. Does Mr. Owen Lattimore own, or occupy property near any property of yours, in Connecticut?

Mr. FIELD. Not to the best of my knowledge.

Senator HICKENLOOPER. Have you spent any time as a temporary resident, let us say, on vacation or otherwise, in any other State in New England?

Mr. FIELD. In New England?

Senator HICKENLOOPER. Yes, other than Connecticut?

Mr. FIELD. I have motored around, I suppose, in the normal course of events. I went to college in Massachusetts, went to school in Connecticut—

Senator HICKENLOOPER. So that you—

Mr. FIELD. I have been skiing in Vermont.

Senator HICKENLOOPER. So that you have never occupied, that is, for short periods of time such as during the summer, or seasonal occupation, any property where you lived temporarily, at least, near property of Owen Lattimore, is that correct?

Mr. FIELD. Mr. Senator, I haven't the slightest idea where Mr. Lattimore owns property. To the best of my knowledge, he owns none anywhere near my place in Connecticut.

Senator HICKENLOOPER. And you own no other property?

Mr. FIELD. No other.

Senator HICKENLOOPER. In New England?

Mr. FIELD. No other.

Senator HICKENLOOPER. And you do not lease, nor have you leased any property in the past in any other place in Connecticut?

Mr. FIELD. No.

Senator HICKENLOOPER. I believe you testified that the Institute of Pacific Relations is not a Communist organization, in your opinion?

Mr. FIELD. I said, to the best of my knowledge, it was not a Communist organization.

Senator HICKENLOOPER. Do you know whether or not members of the Communist Party, or known Communist sympathizers have been, during the time of your connection with that organization, either occupying official positions with the institute, or regular contributors to its publications?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Mr. Field, do you know one James V. Allen?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating.

Senator HICKENLOOPER. Mr. Chairman, I call your specific attention to the following questions and persons in my interrogation which, without going into any follow-up questions, which might flow from others, questions which refer specifically to individuals connected, either now or heretofore, with the State Department, and which Mr. Field has refused to answer.

I call attention to the inquiry, in my interrogation, about his acquaintance with Whittaker Chambers, his acquaintance with John C. Vincent, his acquaintance with Haldore Hanson, his acquaintance with John S. Service, his acquaintance with Owen Lattimore, in connection with Amerasia conferences; and

The interrogation with respect to his acquaintance with Alger Hiss and with John S. Service.

Senator TYDINGS. Have those questions been asked, Senator Hickenlooper, all of them?

Senator HICKENLOOPER. Those have all been asked. I am referring back to my interrogation, my questions which I asked, and which the witness refused to answer.

Senator TYDINGS. I don't think you asked about Mr. Whitaker Chambers. If you did, I didn't hear it, I was talking to—

Senator HICKENLOOPER. If there is any question about it, I shall ask—

Senator TYDINGS. Just so I make sure it is asked.

Senator HICKENLOOPER. My memory is that I did.

Senator TYDINGS. You did? I didn't hear it. I was talking to someone.

Senator HICKENLOOPER. I now ask that the chairman direct the witness to answer the specific questions which I put to him in connection with those people.

Senator TYDINGS. Mr. Field, I am going to ask you a rather long question, and then ask you to answer it.

Mr. FIELD. Do you know any or all of the following people: Specifically, Elizabeth Bentley, Whittaker Chambers—I beg pardon—did you know any or all of the following people or persons: Whittaker Chambers, John C. Vincent, Haldore Hanson, John S. Service, Alger Hiss—that is the question.

Mr. FIELD. Is that the question?

Senator TYDINGS. Do you know any or all of the five persons, I think it was, whom I named?

Mr. FIELD. Mr. Chairman, I must respectfully decline to answer that question on the ground that the answer might be self-incriminating.

Senator TYDINGS. Well, the Chair deems it to be a pertinent question, well within the purview of the resolution which brings us here this morning, and directs you to answer the question.

Mr. FIELD. Well, Mr. Chairman, I again respectfully must decline to answer on the ground the answers might be self-incriminating.

Senator TYDINGS. The Chair also takes the liberty of informing you, unless there is some objection, that he speaks for the whole committee in directing you to respond to the interrogation I have asked.

Mr. FIELD. I must still stand on this declination, Mr. Chairman.

Senator HICKENLOOPER. I think that is all, Mr. Chairman.

Senator TYDINGS. Senator Lodge?

Senator LODGE. It is obvious to me, to ask questions of this witness is almost a complete waste of time; but I would like to just present the thought that here is this committee, engaged in a vitally important task of ferreting disloyal persons out of the Government service, a matter which would involve the very existence of this country, and we have a shocking spectacle of a man who has had every advantage this country could offer, and refuses to help this subcommittee do its planned public duty.

Senator TYDINGS. Senator Green?

Senator GREEN. Well, supplementing what Senator Lodge just said, I would like to ask the witness this question: Is he able and willing to give this committee any help in its effort to find out whether there are disloyal persons now in the State Department or who have been there before?

Mr. FIELD. Senator Green, I have tried to give some cooperation to the committee. I have testified to all questions respecting what I assumed to be the major matter on which I was brought down, namely, my relation to Professor Lattimore. I believe that I have answered all questions that have been put to me on that question. I have answered all questions that have been put to me relating to my professional association with the Institute of Pacific Relations.

I have explained, in my opening statement, the reason that I felt it necessary to decline to enter into any area bearing on my political beliefs and associations, and if I may offer that as a reply to your question, sir—

Senator GREEN. In other words, what you have given already is the extent of the help that you feel able to give the committee in its work.

Mr. FIELD. I don't believe I can do anything more, Mr. Senator.

Senator TYDINGS. Mr. Field, now that my committee associates have asked you their questions, there are two or three that maybe I should ask you, and perhaps you can give answers to them, without taking advantage of the situation which has been present up to now.

The first question is: In your refusal to answer these questions on the ground that they might necessarily incriminate you, might I ask you if it is reasonable to draw either a yes-or-no determination from your refusal to answer? Thus, when you are asked a question, where the answer would obviously be yes or no, if you were to answer, without taking advantage, are we to assume that there is no inference from your refusal to answer of either affirmation or denial?

Mr. FIELD. Absolutely so; yes, sir.

Senator TYDINGS. Now, do you or do you not know, of your own knowledge, of any disloyal acts to our Government that Owen Lattimore has ever performed?

Mr. FIELD. Mr. Chairman, to the best of my knowledge, Mr. Lattimore has in no sense or on any occasion been disloyal.

Senator TYDINGS. Do you or did you not know of your own knowledge whether Owen Lattimore has an allegiance to any foreign government, association, or apparatus which would make him disloyal to his own Government?

Mr. FIELD. Mr. Chairman, in answer to that, I have every reason to believe, in the association I have had with Mr. Lattimore, that he has a loyalty only to the United States; that he has no connections whatso-

ever with any foreign governments, and there is no ground whatsoever for suspecting him of disloyalty.

Senator TYDINGS. I might ask you again, for emphasis, if you have already answered it—Do you, or do you not of your own knowledge, know whether or not he is a member of the Communist Party?

Mr. FIELD. To the very best of my knowledge, Mr. Chairman, Mr. Lattimore is not a member of the Communist Party.

Senator TYDINGS. Might I ask you if any time in any of your associations with Mr. Lattimore, in the conduct of the Institute of Pacific Relations, or in the publication of the magazine Amerasia, you saw or detected anything that aroused your suspicions that he was writing, not objectively, but—but rather objectively to accomplish a purpose that was not to the best interest of the United States?

Mr. FIELD. No, I never did. On the contrary, I spent many years working for this research organization, in association with scholars; and, it is quite evident that Professor Lattimore has the reputation of being one of the most outstanding scholars on the Far East in this country. He has a world-wide reputation in this sense.

Senator TYDINGS. Now, at any time during your association with this Institute of Pacific Affairs, and your position as chairman, I believe it was, of the editorial board, or on the editorial board of the magazine Amerasia, did you or do you know of anyone else who suggested, connived, or aided in putting Communist articles in that magazine, through the medium of Mr. Lattimore?

Mr. FIELD. No, I do not, Mr. Chairman.

Senator TYDINGS. Do you or do you not know of any time that Mr. Lattimore knowingly aided in the publication of an article that was written, so far as you know, by a Communist?

Mr. FIELD. No, I do not, Mr. Chairman.

Senator TYDINGS. Do you or are you in a position to say whether or not at any time during your association with Mr. Lattimore, and the Pacific relations unit, that Mr. Lattimore, directly or indirectly engaged in any conversation, any undertaking, any intrigue, or any other act which had for its purpose the placing of either persons on the payroll of the magazine and institute on the one hand, or the insertion of articles that were calculated to be there other than for the purpose of the magazine proper, upon the other hand?

Mr. FIELD. No, Mr. Chairman.

Senator TYDINGS. I have no more questions.

Senator HICKENLOOPER. I have a question I would like to ask, if I may.

Mr. Field, I believe you stated, in answer to a question by Senator Tydings, as to whether or not, to your knowledge or within your knowledge, Owen Lattimore was a Communist, and I believe you said, to your knowledge—within your knowledge, whatever knowledge you had—he was not; is that correct?

Mr. FIELD. That is correct.

Senator HICKENLOOPER. Are you in a position, Mr. Field, to know whether or not Mr. Lattimore is or is not a Communist?

Mr. FIELD. No. I put the answer very differently, Senator. I said that—I put it in two ways: One, that to the very best of my knowledge, he was not; and, on some other occasion, I believe I said that I had no grounds whatsoever for believing he was a Communist.

Senator HICKENLOOPER. But my question, which I will again repeat, and which you answered, I believe, by "No"—I want to ask again. Then you are—you say that you are not in a position to know, either affirmatively or negatively, surely whether or not Owen Lattimore is a Communist?

Mr. FIELD. If I may, Mr. Senator, I will stand on my previous answer.

Senator HICKENLOOPER. Which is "No," as I understand it.

I would like for the reporter to read the previous answer to which Mr. Field referred.

Mr. FIELD. My answer was that I have no such knowledge, and I have no reason to believe that Mr. Lattimore is or was a Communist.

Senator HICKENLOOPER. But my question was: Are you in a position, within your knowledge, so that you would know whether or not he was a Communist?

Mr. FIELD. No; I am not.

Senator HICKENLOOPER. Mr. Field, you had associations with Mr. Lattimore over a considerable period of time in connection especially with the Institute of Pacific Relations. Would you say that Mr. Lattimore's social and political views with respect to policies in the Orient and social and political views in the United States quite generally coincide with yours as a result of your experience with him?

Mr. FIELD. That is an extremely difficult question to answer, Mr. Senator.

Answering it very briefly, I would say that Mr. Lattimore and I were pretty much in disagreement on political questions. I don't think I can go further than that.

Senator HICKENLOOPER. Are you in general agreement about the American policy in the Orient over the last 10 years?

Mr. FIELD. Mr. Chairman, I said—and I wish to emphasize it—that in my opinion Mr. Lattimore and I had different views, different political views, on most such points. I frankly disagreed with him.

Senator HICKENLOOPER. What areas of disagreement do you find between you and Mr. Lattimore on social and political views?

Mr. FIELD. I decline to answer that question, Mr. Senator, on the ground that the answer might be self-incriminating and will lead into an area of discussion which I decline to enter.

Senator HICKENLOOPER. I think that is a pertinent question.

Mr. MORGAN. Mr. Chairman—

Senator TYDINGS. Mr. Morgan.

Mr. MORGAN. I would like to make the observation, Mr. Field, inasmuch as at one point in your testimony you seemed to be under the impression that your appearance here this morning, in a pertinent fashion, related only to Mr. Lattimore.

I want again to indicate to you that the purview of this committee's functions includes any disloyal persons that may ever have been in the State Department, or, for that matter, associated with the State Department in any capacity.

Inasmuch as you may not be familiar with the record in this proceeding, I want to advise you that in the case of Mr. John Service, Mr. Haldore Hanson, that they have been publicly charged before this committee as being persons possibly disloyal; that they are now employed by the State Department; and again I would like to ask you a

question which you have been asked once before: if you know Mr. John Service or Mr. Haldore Hanson?

Mr. FIELD. May I discuss this matter with my counsel for a moment?

Senator TYDINGS. Yes; you may.

(Discussion was off the record.)

Mr. FIELD. Mr. Chairman, in answer to Mr. Morgan's question, may I say this: That with the exception of certain other questions put to me by Senator Hickenlooper, I do not think that I have indicated that I was declining to answer on the ground of irrelevancy, and I don't mean to give that impression. I am declining to answer the question that you have just put to me, and similar questions, on the ground that my answer might be self-incriminating.

Mr. MORGAN. You regard, therefore, the questions that have been asked you as relevant to this proceeding, but decline to answer them on the ground that they might tend to incriminate you?

Mr. FIELD. Where I so stated.

Mr. MORGAN. Thank you.

Senator TYDINGS. Mr. Field, I have no desire to pursue the matter, but to take you completely into my thoughts, so that I may now hope to get an answer.

If you were to say that you didn't know, first of all, these individuals whose names have been brought out here, who are working for the State Department, of course that would be one thing. In the event that you said you did know them, I would like to ask you the question as to whether or not you know them to be members of the Communist Party, or know them to be disloyal to the Government of the United States.

Now, it does seem to me that you might reconsider, with your attorney, that area, because I can see nothing in that particular situation which, if it stopped there, would involve you; and may I point out to you that if you don't answer the question all sorts of inferences can be drawn, some favorably, some unfavorably to the individuals concerned. So, I would ask you if you wouldn't consult with your attorney again to see whether, to the extent I have outlined, and to the men I have named, who are now employed, you couldn't find it possible to give this committee the benefit of your testimony.

(Mr. Field and his counsel conferred off the record.)

Senator TYDINGS. The names, I think, are Haldore Hanson, John S. Service—

Mr. MORGAN. Those are the names I asked.

Senator TYDINGS. Those two, particularly—

Senator HICKENLOOPER. John C. Vincent is another one and—

Mr. FIELD. Mr. Chairman, may I try to meet your point part way by making the following statement: That I had no knowledge whatsoever—I say this without any reservation or qualification—that either Mr. Service or Mr. Hanson is or ever has been a Communist.

Senator TYDINGS. I don't want to take advantage of your option, and I have no intention of doing it in directing this question to you: There is one other employee of the State Department whose name has been mentioned, I think. I shan't enlarge the list beyond this one I overlooked—his name being John C. Vincent. Would you care to make a statement similar to the one you have made in reference to this man?

MR. FIELD. Yes, Mr. Chairman. I would be glad to state I have no—to the best of my knowledge—Mr. Vincent is not and never has been a Communist. I think I said "never has been" with respect to the others.

SENATOR TYDINGS. I want to thank you for your cooperation, and I hope, after conference with your attorney, you can go into other areas within a reasonable limit without going back on your general premise. I would like to ask you whether or not these three men—Haldore Hanson, John S. Service, and John Carter Vincent, or any of them, insofar as you know—have committed any act of disloyalty to the Government of the United States, including the State Department, of course?

MR. FIELD. No, Mr. Chairman; to the best of my knowledge, none of these three men have committed any act of disloyalty.

SENATOR TYDINGS. Thank you.

SENATOR HICKENLOOPER. I have some questions, in response to that. Do you know Mr. John C. Vincent, do you know Haldore Hanson, and do you know John S. Service?

MR. FIELD. Senator Hickenlooper, I understood, when I answered the chairman's questions, that that was the limit to which this particular line of inquiry was to be pursued.

And on that understanding I decline to answer your question on the ground that the answer may be self-incriminating.

SENATOR HICKENLOOPER. So, you decline to answer the question as to whether you even knew these men about whom the chairman interrogated you in his last questions?

(There was no response.)

SENATOR HICKENLOOPER. I think that is self-evident, Mr. Chairman.

SENATOR TYDINGS. It is 12:15. Do you have another witness?

MR. MORGAN. I might say, Mr. Chairman, that Miss Freda Utley was scheduled to testify today, and suddenly Miss Utley indicated to me she would appreciate the committee indulging her, perhaps giving her more time in which to prepare her testimony; and I have indicated that I would favorably recommend to the committee that it excuse her from testifying today and consider the possibility of her appearance at a subsequent date.

SENATOR TYDINGS. Is that satisfactory to you, Miss Utley?

MISS UTLEY. Please. I want the committee to know I was only told at 5:30 yesterday, and since my testimony relates largely to proof of Mr. Lattimore's writings, of how he has followed the party line, I simply could not get it ready in one night.

SENATOR TYDINGS. Miss Utley, may I ask you if your testimony is going to be taken from his writings, as I understand you?

MISS UTLEY. Largely, but not entirely.

SENATOR TYDINGS. And from his utterances?

MISS UTLEY. Yes, sir.

SENATOR TYDINGS. Now, will that be a matter of your opinion as to what is happening, or will there be supporting facts?

MISS UTLEY. There will be supporting facts.

SENATOR TYDINGS. All right.

We will accede to your request and give you additional time. So, hold yourself available and we will try to work it out so that everybody is happy about it.

Now, what is our next proposal here, Mr. Morgan? Monday or Tuesday?

Mr. MORGAN. Tuesday, Mr. Chairman, 10:30, at which time Mr. Lattimore is scheduled to appear.

Senator HICKENLOOPER. What time?

Mr. MORGAN. What time—

Senator TYDINGS. Oh, we meet Monday. If we wanted to—

I knew there was something. The Foreign Relations Committee has to meet on Monday in a special session; so, our next meeting will be at 10:30 o'clock Tuesday morning—open session. Mr. Owen Lattimore will have a chance to respond to these charges.

Mr. PORTER. A point of information: Will Miss Utley follow Dr. Lattimore? It was my understanding that Dr. Lattimore would be permitted to respond to all allegations made against him, and I don't see how that would be possible if Miss Utley is going to testify subsequently.

Senator TYDINGS. I think you have a point there, Mr. Porter.

Quite frankly, this matter has been in progress now for nearly 2 months; and, quite frankly, Miss Utley's name has been mentioned in connection with it for a month or more; and it does seem to the committee that we are all very busy men and under terrific pressure to hold these meetings while many other things are going on, and that it would be a matter of tremendous accommodation, and permit us to proceed, if you could get your testimony together pretty soon; and I hope that to be before Tuesday.

Miss UTLEY. I can have it ready by 10:30 Tuesday before Mr. Lattimore. I can have it ready on Monday. I just need about 24 hours.

Senator TYDINGS. We can't meet Monday.

(Discussion was off the record.)

Senator TYDINGS. Mr. Field, you will be temporarily excused. You are still under subpoena. We have no immediate plans to call you unless the committee, at a meeting we will hold, should deem otherwise. So, I think you might be at liberty to leave. Leave your address and whereabouts as near as you can with the counsel of the committee; and, if we need you, we will call you back. Thank you for being here.

Mr. FIELD. Thank you, Mr. Chairman, for your courtesy.

Senator HICKENLOOPER. Mr. Chairman, just so I am not misunderstood in my position, the chairman has said the committee has no immediate plan of calling Mr. Field—

Senator TYDINGS. That is right.

Senator HICKENLOOPER. I have some immediate plans with respect to Mr. Field, which I expect to present to the committee. I wouldn't want the connotation to go out that this episode is ended here, now, but—

Senator TYDINGS. Of course if you are going to present this to the committee, the committee will have to act on anything, before the committee will have any immediate plans. All I said was we have no immediate plans, right now, at this particular minute, second, and hour. We can have them in an hour from now, or 10 hours from now, or next week.

Senator HICKENLOOPER. That is fair enough.

Senator LODGE. Mr. Chairman, let me renew the statement I have already made: I desire to have the opportunity to question Mr. Lattimore in executive session, and I trust that that opportunity will

be made available. The reason why I want to do it is because I think there are questions which, in the presence of the public, will hamper the work of our investigative agencies and have a deleterious effect on the American position abroad and might besmirch the character of innocent persons, so I will want to question Mr. Lattimore in private.

Senator TYDINGS. I think I owe it to the members of the committee, in view of Senator Lodge's statement, to say that I am unalterably opposed to any closed sessions of any manner, shape or form, either pro or con, dealing with the Lattimore matter.

The charges were made in the open. The testimony was in the open, and I think everything else ought to be in the open in it.

When we get to the end of the Lattimore case, after that we can take up matters that have not been made in the open, in executive session; but I think having this business shifting on the scene and then shifting off the scene is conducive to things like happened yesterday when one of the members of the Senate was down on the floor and made a statement which was not accurate, and therefore, I am getting very much opposed to closed sessions. You can't get the facts out accurately. Therefore, I shall oppose, with all the force at my command, any testimony pro or con about Owen Lattimore being taken at any other place, or any other questions being asked at any other place than in the open session.

Senator LODGE. Then that puts me in the position of either being unable to get the answers to questions which I regard as essential to help me reach a conclusion, No. 1; or, asking questions which will hamper work of the investigative agencies and possibly besmirching the characters of innocent persons and possibly injure American position abroad.

That puts me in that position.

Senator TYDINGS. The committee will stand in recess until 2:30 Monday afternoon, tentatively, at which time I ask Miss Utley to be ready with her testimony.

(Whereupon, at 12:22 p. m., the subcommittee stood in tentative recess until 2:30 p. m. Monday May 1, 1950.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, MAY 1, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment taken on April 29, 1950, at 2:30 p. m., in the caucus room, room 318 Senate Office Building, Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, and Lodge.

Also present: Senator Knowland, Mr. Edward P. Morgan, chief counsel of the subcommittee; and Mr. Robert Morris, assistant counsel of the subcommittee.

Senator TYDINGS. The meeting will be in order.

Is Mrs. Freda Utley here?

Will you come forward, please?

Stand and raise your right hand.

Do you solemnly promise and declare that the evidence you shall give in the matter now pending before this committee shall be the truth, the whole truth and nothing but the truth, so help you God?

Mrs. UTLEY. I do so solemnly declare.

Senator TYDINGS. Will you be seated?

STATEMENT OF MRS. FREDA UTLEY

Senator TYDINGS. Will you give us your full name.

Mrs. UTLEY. My name is Freda Utley.

Senator TYDINGS. And your present address?

Mrs. UTLEY. 1717 Twentieth Street, Washington NW.

Senator TYDINGS. And your present employment, if any?

Mrs. UTLEY. Free-lance author, journalist, and lecturer.

Senator TYDINGS. Have you any associations in a business way through which you practice your profession?

Mrs. UTLEY. No.

Senator TYDINGS. You receive no compensation as a matter of general course?

Mrs. UTLEY. No.

Senator TYDINGS. Mr. Morgan, do you desire to interrogate the witness?

Mr. MORGAN. Mrs. Utley, do you have a prepared statement?

Mrs. UTLEY. I have a statement.

Mr. MORGAN. Did you make copies?

Mrs. UTLEY. It has been physically impossible, within the time, to get it duplicated.

Mr. MORGAN. I wonder if you have any copies you might furnish for the committee?

Mrs. UTLEY. The only thing I have ready for the committee—the newspapers of course have seen them and taken all my copies—that was a statement of my past curricula. I think that I can get a copy of that and hand it to the committee.

Mr. MORGAN. Will you please proceed, then, with your statement?

Mrs. UTLEY. I am testifying here because I consider America is the hope of the world, and that people like Mr. Lattimore menace our security and freedom.

I was a member of the British Communist Party from 1928 to 1931. I ceased to be a Communist a few months after going to live in Russia in September 1930; that is to say, as soon as I learned the truth about communism and Soviet Russia.

I remained 6 years in Russia because I was married to a Russian who, not being a member of the Communist Party, had no chance of leaving the Soviet Union after returning there in 1930. I finally left the Soviet Union in the summer of 1936, following the arrest of my husband. He was sent to a slave-labor camp without trial, and I have long presumed him dead.

For the first 2 years after I returned to the free world with our young son, who was 2 years old at the time of my husband's arrest, I refrained from writing an exposure of the Soviet Union because I knew that to do so would have caused the instant execution of my husband. At the same time, I also refrained from saying anything favorable about communism, in spite of the fact that I knew that my best chance of saving my husband's life was to engage in lying propaganda for the Communists. Finally, in 1939, following the Stalin-Hitler pact, I felt that I could keep silent no longer and decided to write the book published in the United States the following year under the title, *The Dream We Lost*, and reissued in 1948 as *Lost Illusion*.

These facts are pertinent to this inquiry because Mr. Lattimore, in his statement to this committee on April 6, said that when he met me in Moscow I was "working for the Russians."

This is technically true, since I had to earn a living, and in Russia there are no jobs but Government jobs.

I first met Owen Lattimore in April 1936 in Moscow, together with Mr. E. C. Carter and Harriet Moore, all of the Institute of Pacific Relations. I was a so-called scientific worker in the Pacific Ocean cabinet of the Institute of World Economy and Politics headed by Eugene Varga, the famous Russian economist. This institute was a part of the Communist Academy, but the academy's name had been changed to Academy of Sciences shortly before the visit of the American Institute of Pacific Relations officials. It nevertheless remained the same important branch of the Soviet Government as before, when it had been called the Communist Academy. The leading members of the Pacific Ocean cabinet of the Institute of World Economy and Politics, where I worked, constituted the Russian branch of the Institute of Pacific Relations. The head of the Pacific Ocean cabinet was a certain Voitinsky who had represented the Comintern in China in

the revolutionary years 1925-27. Voitinsky was also the head of the Russian branch of the Institute of Pacific Relations.

It was the function of my branch of the institute to study the economic and political situation in the Far East, and lay the theoretical foundation for policy decisions. Of course these decisions were not really made with reference to the objective situation. Emphasis would be laid on Japan's wickedness, or the Kuomintang's or that of Britain, the United States, France, or Holland, according to the degree of hostility or friendliness displayed toward Soviet Russia by these various governments concerned. My own work consisted of studying and writing about the economic and political situation in Japan, and since Japan was feared by Russia, I was able to study and report on Japan's economy and politics without the need of obscuring the truth as I saw it.

Now, myself not being any longer a member of the Communist Party, I was not present in 1936 at the private meeting between Voitinsky and Varga and the visiting American IPR delegates.

May I say "IPR" instead of "Institute of Pacific Relations" to save time?

Mr. MORGAN. May I interrupt? If you will go more slowly, it would be better for the reporter.

Mrs. UTLEY. However, it was officially accepted that the Institute of Pacific Relations was an international organization which favored collaboration with the Soviet and that Russia was making a large contribution to its finances.

During the long hours of discussion at the Institute of World Economy and Politics, with the American IPR delegates and even more definitely in the evening when Mr. Carter addressed a large meeting of the "Moscow actives"—that meant the leading members of the Russian Communist Party in Moscow—together with the members of my institute, I was convinced that Mr. Carter was a Communist but did not think that Owen Lattimore was one at that time.

Mr. Carter spoke at the evening meeting just like a Communist sympathizer, and in the afternoon meeting at my institute he never once argued with the Russian Communists.

Mr. Lattimore, however, did argue, in particular concerning Mongolia. I cannot now, nearly 20 years after, recall the details of that discussion during this long and boring afternoon. But I do remember clearly that Mr. Lattimore kept insisting that Mongol society should not be called feudal since a nomad society is not the same thing as a feudal society. Incidentally, I note that in his latest book, *Pivot of Asia*, Mr. Lattimore now refers to Mongol society as "feudal."

One of the things which made me doubt whether Lattimore, at that date, was a Communist, was the fact that as editor of *Pacific Affairs*, he had published an article by the Trotskyist Harold Isaacs. This is the Harold Isaacs who, subsequently, in later years became a correspondent of *Newsweek*. In the winter of 1936-37, in London, Lattimore told me that he had almost lost his job as editor of *Pacific Affairs* on account of having published this Isaacs article. This, in itself, seemed to prove the tight control exercised by Moscow over the Institute of Pacific Relations.

One of the reasons why I believe that Lattimore was moving ever closer to the Communists, is that he never again published an article

by Isaacs or any other heretic or indeed by anyone who dared to expose the whole truth about Soviet Russia, and Stalin's policies.

Soon after his visit to Moscow in 1936, he seems to have become a follower of the party line, as I shall subsequently demonstrate.

In the months I knew Lattimore in London, in 1936-37, he was still critical of the Communists; but, in Baltimore, where I lived in the first 6 months of 1940, he appeared to have become an out-and-out defender of the Soviet Government.

SENATOR TYNDERS. What year was that?

MRS. UTLEY. In the first 6 months of 1940. That is after I took my residence in the United States for the first time.

This is not to say that I have any proof that he ever joined the Communist Party, but his attitude and actions seemed to me by this time practically indistinguishable from those of a Communist; this was in 1940.

I want here to explain by motivation in coming forward to testify against Lattimore. He and his wife were once my friends, although it is not true, as he has stated in the press interview, that I spent weeks as their house guest in 1938. However, it is true that in 1938 when I came to the United States from China to speak for the American Committee for Non-Participation in Japanese Aggression, Lattimore arranged for me to lecture at Baltimore. It is also true that in 1940, when I came with my family to settle in America, I again knew the Lattimores in Baltimore, where I first resided.

My former friendship with the Lattimores was based on my impression in 1936-37 that, although sympathetic to the so-called Soviet socialist experiment, they were not Communists. They were very kind to me and my son. They sympathized with me for the loss of my husband. They deplored the mass arrests, imprisonments without trial, and other tyrannical features of Stalin's Russia. But, by 1940, they had both, it seemed to me, decided to throw in their lot with the Communist totalitarians. In parentheses I may remark here that Lattimore, on page 53 of *The Situation in Asia*, writes that according to Communist theory, "To be progressive in politics means to be on the side of that which is going up and against that which is going down"; and states on the next page, that the Russians "have the feeling that their country and their cause are going forward on the side of history."

This seems to me the keynote of Mr. Lattimore's writings and the motivation for his acts. He wants to be on the winning side, and he thinks the Communists are destined to win. This, of course, is my surmising.

In any case, what shocked me most was to learn later that in September 1938 while I was in China, Lattimore had written in *Pacific Affairs* that the blood purge in Russia had been a triumph for democracy. I have his exact words here, a quotation from this article, but I am trying to cut this down to possibly not make the quotation too long:

The real point, of course, for those who live in democratic countries, is whether the discovery of the conspiracies was a triumph for democracy, or not. I think that can be easily determined. The accounts of the most widely read Moscow correspondents all emphasize that since the close scrutiny of every person in a responsible position, following the trials, a great many abuses have been discovered and rectified. A lot depends on whether you emphasize the discovery of the abuse or the rectification of it; but habitual rectification can hardly do anything but give the ordinary citizen more courage to protest, loudly, when-

ever in the future he finds himself being victimized by someone in the party or someone in the government. That sounds to me like democracy.

Lattimore's reference here to "the most widely read Moscow correspondents" illustrates one of his most successful techniques for putting across Communist propaganda, namely, putting it into the mouth of some unanimous authority—in this case no doubt Walter Duranty, a notorious apologist for the Soviet Union.

In the same issue of Pacific Affairs Lattimore, in reviewing the first volume of The American Quarterly on the Soviet Union wrote concerning an article by John N. Hazard that it was "one more indication that the series of Moscow trials does not represent the climax of a process of repression but on the contrary is part of a new advance in the struggle to set free the social and economic potentialities of a whole nation and its people. * * * It is evident that the quarterly will be indispensable for the formation of intelligent opinion about the Soviet Union."

Since I knew that Lattimore knew that hundreds of thousands of people had been arrested and sentenced to slave labor in Russia without trial, I began to realize that he was adjusting his views to the party line, and abandoning his earlier misgivings.

Friendship can be based only on mutual respect. Once I understood that Lattimore had become a supporter or apologist for tyranny, cruelty, and injustice, and as I perceived Lattimore was, in all respect, following the Communist Party line, I ceased to be his friend. As I remember my last conversation with the Lattimores, it was with his wife about June 1940 when I was packing to move to New York. Eleanor Lattimore came to see me and said I was hurting Owen by calling him a Communist. And as I remember, I replied, "Well, isn't he?" And added, "In any case, it seems to me that to be a Communistic sympathizer is an advantage to him in his field."

I consider it a pernicious and extremely dangerous idea that the ties of long past or even recent friendship should be considered more important than the security of one's country, and the survival of freedom. I think that America stands today in greater peril than at any time since the foundation of the Republic, and that Moscow's witting and unwitting tools in America are seeking to soften us up for Communist conquest, and that people like Mr. Lattimore are assigned an important role in the Communist strategy for world conquest. They have already so influenced American policy as to have led us to throw away the fruits of victory in the Pacific and given China over to Russia.

Now, today, Mr. Lattimore is arguing, as shown in his August 1949 memorandum to Mr. Jessup, that we should abandon Korea and Japan and give no aid to the National Government of China in Formosa, so that this island could also fall to the Communists. If he succeeds in this, he can next argue that first the Philippines, then the intermediate islands, and then Hawaii are indefensible and must be abandoned. Thus, step by step, the Communist menace will come closer to America's own shores.

Even if Lattimore had remained a friend of mine until recently, and I had not broken with him 10 years ago, I should consider it my duty as a prospective citizen of this country to expose him.

I will now show how closely Lattimore's writings have followed the Communist Party line since 1938, when he demonstrated, by his

defense of the Russian blood purge, his subservience to party discipline.

To understand how Lattimore's writings have followed the Communist line, one must know what the Communist line has been.

From 1935, when the Comintern inaugurated the democratic masquerade, until the Stalin-Hitler pact of August 1939, the line was one of all-out hostility to Nazis, Fascists, and Japanese and, consequently, our support for the National Government of China. But, following the Hitler-Stalin pact, all the Communist Parties, including the Chinese, reversed themselves. Lend-lease was denounced in the Chinese Communist Capital of Yenan, in the same terms as in Union Square in New York—the Chinese Communists, like the American Communists, and Mr. Frederick Vanderbilt Field's peace mobilization, denounced lend-lease for embroiling the United States in the second imperialist war.

Mao Tse-tung, leader of the Chinese Communist Party, told Edgar Snow that with the liquidation of the Nazi anti-Soviet pact and anti-Comintern policy, the distinction formerly drawn between the Fascist and democratic countries had lost its validity. Asked by Edgar Snow whether he now saw no difference between fascism and the cause of the democracies, Mao replied, "No; there is no difference in their position in this war."

And, what did Mr. Lattimore say during this period? In an article he published in Pacific Affairs in June 1940 he echoed Mao Tse-tung. He, too, said that there was nothing to choose between both sides in the war in Europe. He called the war in Europe one—I quote—"between the established master races and the claimant master races," unquote.

In this article, he casts general discredit on the democratic side, said it was merely defending its possessions, not the concept of democracy and equality and ascribed responsibility for the war equal to both sides.

The cause of the war, he wrote, and I quote, "were the wrongs done to China, Ethiopia, Spain, Czechoslovakia, and Albania—not by Japan and Italy and Germany alone, but by Britain and France and the United States as well. It was because they attempted to escape the shortcomings of the old order without sacrifice to themselves at the expense of the rest of the world, including the huge territories like China and Russia, as well as the geographically small nations, that they are now fighting each other."

Nor, is this the only evidence that Lattimore followed the party line in denouncing the war in Europe prior to Germany's attack on Russia, as an imperialist struggle in which both sides were equally guilty.

While Lattimore was one of the editors of Amerasia, in 1939 to 1940, following the Stalin-Hitler pact, it published articles directly echoing the Communist Party line, for which Mr. Lattimore must assume partial, at least, responsibility.

Senator TYDINGS. Do you know whether or not they published at the same time any articles that showed a contrary point of view?

Mrs. UTLEY. No. I will state that almost categorically, but in the time at my disposal, I have had no time to read every article in Amerasia.

It abused Italy and France and urged America not to be drawn into the European war, while urging that it take action against Japan. Following Germany's attack on Russia, in June 1941, it switched over to the opposite side, like all Communist organs, and urged American participation in the war against Germany.

I have here several pages of extracts from Amerasia and I feel that my testimony will be far too long if I read them all.

Senator TYDINGS. Put them in the record at this point.

I would like to ask a couple of questions.

Does this appear over Mr. Lattimore's signature?

Mrs. UTLEY. No.

Senator TYDINGS. Did they appear over anybody's signature?

Mrs. UTLEY. Yes. The particular articles I have mentioned, one was by William Brandt, entitled "The Embargo Threat—A Diplomatic Maneuver," was published in the March 1940 issue of Amerasia.

Senator TYDINGS. Read the others, and identify them.

Mrs. UTLEY. Next is one by Harry Paxton Howard which explained and justified the Stalin-Hitler pact.

I don't want to impose on your time by reading it all.

Senator TYDINGS. Don't read it, but let me ask you another question:

During the period to which you refer, evidently you have had some opportunity to read these magazines, is that right?

Mrs. UTLEY. During that period?

Senator TYDINGS. Have they been handed to you, or did you read them yourself, Mrs. Utley?

Mrs. UTLEY. I have been looking them up now, in the last few days.

Senator TYDINGS. Looking them up in the Amerasia magazine?

Mrs. UTLEY. Yes, sir.

Senator TYDINGS. Have you found any articles in there that were published in there by people other than Mr. Lattimore, that presented any contrary view?

Mrs. UTLEY. No.

Senator TYDINGS. Nothing in the magazine at all except articles of one kind during this period?

Mrs. UTLEY. Yes.

Senator TYDINGS. How many of these articles to which you refer were over the signature, or over the masthead of the editor of the magazine who, as I understand it, was then Mr. Lattimore, is that correct?

Mrs. UTLEY. Mr. Lattimore was only one. The managing editor was Frederick Vanderbilt Field.

Senator TYDINGS. Who was the managing editor?

Mrs. UTLEY. I think that was Frederick Vanderbilt Field.

Senator TYDINGS. How many other editors were there—I have not read it?

Mrs. UTLEY. About a half a dozen. I cannot recall all their names. One was Lillian Peffer, wife of a professor at Columbia University—

Senator TYDINGS. Why attribute all of that to Mr. Lattimore if he was only one of six, and wasn't the managing editor?

Mrs. UTLEY. Senator Tydings, if you are on the board of a magazine that continually publishes only one view—actually Mr. Lattimore got off the board in 1941, when he took up Government service.

Senator TYDINGS. Why give him the responsibility when you say there were six on the board? Do you know whether or not they approved these articles? Do you know whether or not they disapproved these articles? Do you know whether or not he saw the articles before they were published; because if he was only one of seven editors it would appear to me that in getting up a newspaper or magazine like Amerasia, or the Saturday Evening Post, that some of the articles could be published in there that might not be known to all of the editors on the board, and I am asking as to information—whether or not you can show any connection between this Mr. Lattimore and these particular articles, or do you just surmise it?

Mrs. UTLEY. Senator Tydings, I have already read out an article in Mr. Lattimore's own—

Senator TYDINGS. I am not asking about that.

Mrs. UTLEY. Which says the same kind of things as Amerasia—

Senator TYDINGS. There is only one fact I want to ask you now—whether or not you know that Mr. Lattimore sponsored, directly or indirectly, these articles for publication in Amerasia?

We have had a lot of opinion evidence here. I would like to get a few facts woven into it.

Mrs. UTLEY. The point I am making, Senator Tydings, is that Amerasia echoed almost exactly the same language I read you from Mr. Lattimore's writings.

Secondly, surely, if one is in disagreement with the total line of a magazine, it is the duty of one to get off the editorial board.

Senator TYDINGS. I don't think that always follows, but your observation can stand.

Mrs. UTLEY. I would say that if Mr. Lattimore, in Amerasia, had continued to write along these lines following Hitler's attack on Russia, his views could really be considered honest and consistent. But, once the Soviet Union was at war with Germany, you could find no more articles by Mr. Lattimore, saying that the war in Europe was one between two lots of master races, as he said previous to Germany's attack on Russia.

Senator TYDINGS. Of course, I don't want to take advantage of your opportunity to testify, but let me point out, Mrs. Utley, that even in our own Congress, when Britain and France were at war with the Fascists, the Axis, and when Russia was invaded, we had lend-lease even before we got into the struggle, to give our money and substance to Russia and all the other countries, so that everybody who then took that particular side of the controversy would not necessarily be a Communist, because a good many of my colleagues in the Senate would be under very serious charges if that were true.

Mrs. UTLEY. May I make very clear, on that point, Senator Tydings, that I personally was against American intervention in the European war, because I considered it would lead to the domination of Stalin. I want to make clear, I want to make that a clear distinction, and one which I think the Attorney General made several years ago, and which was to the effect that you could tell a Communist as distinguished from an isolationist, or whatever word you use, noninterventionist, by his attitude before and after Germany attacked Russia. The people who went on consistently opposing American intervention, and kept on saying the usual things about the European war, and people who

did not change their line after Russia attacked Germany can be perfectly honest people and are perfectly entitled to that opinion; but, those who switched directly the moment that Russia was involved in the war, the Attorney General said, he thought you could spot them as Communists—

Senator TYDINGS. Thank you for that enlightenment. Proceed with your story.

Mrs. URTLEY. As further evidence of the fact that Mr. Lattimore followed the party line, it is to be noted that little, if any, criticism either of the Stalin-Hitler pact, or of the Russo-Japanese pact of April 1941 appeared in his writings.

Pacific Affairs under his editorship, published instead articles absolving the Soviet Government of all blame or evil intent, and repeated the Communist argument that these pacts were victories for peace or for the Japanese masses, and so forth.

When, in April 1941, Russia and Japan signed their first pact, the Chinese Communist Party welcomed it, saying that it "strengthened peace on the eastern frontiers of the U. S. S. R. and guaranteed the security of the development of socialist construction," so that "is in keeping with the interests of the working people and oppressed nations of the whole world."

Owen Lattimore similarly welcomed the pact saying, in the June issue of Pacific Affairs, that if the effect of the Russo-Japanese neutrality pact were to increase the isolation of China, it would lead to more democratic and representative methods of government in China.

Pacific Affairs, June 1941, at page 152, said:

* * * the second is that in China a right-wing government can stand if it has a certain amount of foreign support and approval; but if foreign attack overweighs foreign support, it must get on with the revolution or it will find that the revolution can get on without it.

The second of these lessons applies particularly to China. It will become more obvious if the effect of the Russo-Japanese neutrality pact is to increase the isolation of China, forcing the government to rely less on foreign support and to come to terms with the people by making the methods of government less authoritarian and more representative and more democratic * * *.

This is about the only reference either to the 1941 or the 1944 pacts, Russo-Japanese pacts, which I have been able to find in Lattimore's writings. Nor have I been able to find any reference to the effect in them of the Soviet-Hitler pact, and of the statements of the Chinese Communist leaders showing that they not only now favored Germany in the European war, but that they were also preparing for the eventuality of Russian intervention in China in alliance with Japan.

Omissions of vitally important facts can be as effective in misleading the public as direct falsehoods. The effect of the Stalin-Hitler pact and of the Russo-Japanese pact of April 1941 was, naturally, to make the Chinese National Government fearful of receiving the same stab in the back from the Communists as Poland had received. There was an acute danger that, if it suited Moscow's convenience, the Chinese Communists would be instructed to turn against Chiang and help Japan. Fear of this naturally caused Chiang Kai-shek to distrust not only the Communists but also the liberals who had rallied around the Communists and were pressing for the same measures. Thus the fear of treason led Chiang to rely more and more on the conservatives, or what the Communists call the reactionaries.

Mr. Lattimore never once takes into account the effect of Russia's pacts with the Axis Powers.

According to him, the Kuomintang just got reactionary while the Communists kept on getting more and more democratic.

Soviet Russia, in all of Lattimore's writings, is always sinned against and is always represented by Lattimore as standing like a beacon of hope for the peoples of Asia, even when she is collaborating with the Nazis or aggressing on her own account. Russia is never in the wrong and if he is forced to take cognizance of a few slight misdemeanors on her part, he excuses them as only a reaction to American imperialism or some other country's misdeeds.

Senator TYDINGS. Mrs. Utley—

Mrs. UTLEY. I am coming to my quotes now.

Senator TYDINGS. May I say—

Mrs. UTLEY. An outstanding example of the wondrous way in which Lattimore is able to attribute blame to others for Stalin's worst crimes is the following quotation from his book "The Situation in Asia," in which he writes, on page 89, that the Russians—and I quote: " * * * were afraid that Manchuria, if its industries were left a going concern might be turned into an American stronghold on the doorstep of Siberia, so they gutted the factories of Manchuria as they withdrew."

Before proceeding to give other quotations to show how replete Lattimore's writings are with Communist propaganda about the Soviet Union, I should give a few proofs of how consistently, albeit subtly and cleverly, he has followed the Communist Party line in his writings on China.

At the same time Mr. Lattimore is his own worst accuser for what he writes in one place can be contradicted by what he has written in another place, in conformity with the party line at any particular time.

Senator TYDINGS. Are you going to read about the statements that support your point, your point of view, and those that are in contradiction to it, or those that support your view only?

Mrs. UTLEY. No; I am reading, Senator—in my statement I have analyzed Mr. Lattimore's writings. I was preparing to read the difference in his views of the Chinese Communist Government before and after Soviet Russia turned against China. I realize, if I may say—I don't want to apologize, but I will say that it has to take a certain amount of time, because this is an intricate question, because Mr. Lattimore is a very brilliant person, and because it is not just easy to pick out 1, 2, 3, and 4, and then it is finished, and you can understand the import and effect that Mr. Lattimore's writings and influence on American opinion and American policies, where one has to go into a certain amount of detail of the background. I hope that this committee will bear with me, although I am trying to make it as short as possible.

Take, for instance, Lattimore's views of the Chinese National Government and Chiang Kai-shek.

In late 1942 and 1943, when Russia was still backing the Chinese National Government on account of the Soviet Government's fear of Japan, Lattimore paid high tribute to Chiang Kai-shek. For in-

stance, in a lecture given at Claremont Colleges, and published by them early in 1943, Lattimore said:

Perhaps the situation will be largely saved for us by the Chinese. Many people talk of the danger of civil war in China at the end of this war, but I think that the danger of civil war in China is probably less than the danger of civil war in many countries in Europe. One reason is that we have in Asia a world statesman of real genius, in Chiang Kai-shek.

One of the oldest historical controversies turns on the question of whether great men create the events of their time, or are created by them. The career of Chiang Kai-shek shows that the problem cannot be limited to such narrow terms. The truth is that great men and great events interact on each other in a subtle and close way that results in creating history. This is as true of Roosevelt, Churchill, and Stalin as it is of Chiang Kai-shek.

I have here another two pages of quotations from Mr. Lattimore, not only in praise of Chiang, but saying very definitely that China—and I quote again:

China is a democratic country, in the sense that the party and the Government represent what the vast majority of the people want. When we want to make up our minds whether we are to call another country democratic and so forth, we quite naturally begin by comparing it with our own democratic country.

Then he says:

This way of looking at things can often lead to misunderstanding. The most important standard by which to measure progress in a country like China is not how near they have got to our way of doing, but how far they have got ahead of the way things used to be done.

He goes on to say that China had made such very great progress and that the present rulers of China are not revolutionary, but they are the sons and disciples of the Chinese and so forth.

Here is a long list of those extracts which the committee may want to examine. I am trying to cut this down as much as possible.

Senator TYDINGO. That article you just finished is evidently an encomium of some length on the virtue of Chiang Kai-shek, is that correct?

Mrs. UTLEY. That is correct.

It goes on to finish up, it goes into great detail about the development in China and how, although they are not elected in our sense of the word, nevertheless they do have representation of all parties.

Here are these papers.

Now, I want to just contrast that with only a few lines of what Lattimore writes in Situation in Asia in 1945, which directly contradicts his favorable view of all wartime China. He is not referring to the China that came afterward, when it had degenerated. He is referring to the same China and the same Chiang Kai-shek, and the same period to which he was giving these high compliments at the end of 1942 and early 1943.

He says in Situation in Asia :

In 1937, when the struggle for survival against Japan began, China was controlled by the Kuomintang, a party which owed nothing to elections or to representative forms of government, and which itself appointed not only the National Government but provincial governments and even the administrative officials of counties. In parts of the country where its power was unchallenged, the Kuomintang made such appointments without consulting anybody. In regions where its power was weaker, it accepted and confirmed appointments made by whoever was in power locally; but the local power was also of a self-appointed kind, under control by no process of elected representative government.

There is a lot more here that I could read if you like, Senator, or I can put it in the record.

Senator TYDINGS. It will be entered in the record at this point.
 (The material referred to is as follows:)

What may be called the functional test of the historical importance of Chiang Kai-shek is the fact that, throughout an already long political career, he has grown steadily greater and greater. The greater the crisis through which he has led his people, the greater he has become as a symbol. The greater the decisions he has made, the greater the decisions he is able to make. In this he is a part of the contemporary history of all Asia. In China and India and the Philippines today the machinery for selecting representatives of the people is crude and inefficient. The leaders are to a large extent self-selected. Yet they are leaders, and the direction in which they are leading their people is democratic, because what gives a Chiang, a Gandhi, a Nehru, a Quezon his power over the minds of millions is his ability to make decisions and indicate courses of action which those millions will support and follow. Unless they continue to make such decisions, the people will not continue to follow them. There can be no doubt that this is a phase of creative energy leading to the emergence of true democracy out of the Asiatic societies. * * *

Mrs. UTLEY. And again, in *The Making of Modern China*, written by Owen Lattimore and his wife Eleanor and published in 1943 the following tribute is paid to Chiang Kai-shek and the National Government of China:

From 1928 to 1937 the Chinese Government had two main lines of policy; to achieve uniformity of political structure and administrative control within China and to strengthen and modernize the country. This was the decade in which the western-trained Chinese had their greatest opportunity. They had unlimited things to do, and a strong government backing them. This made possible China's greatest and most rapid advances in industrial growth, mining, banking, engineering, education, and medicine and public health. The whole people felt that China was becoming more modern and progressive, because they could see it happening. At the same time the whole nation was conscious of one great danger; that Japan would not allow it to go on happening.

In the same period China's heavy and light industry expanded with unprecedented rapidity. In all kinds of enterprises which had once been possible only under foreign ownership or management, the Chinese began to show more and more competence and versatility. * * *

Of course, even in this book in which he was following the 1941-43 party line of supporting the Chinese National Government, Lattimore found it necessary to slip in a few lies about Russia for Communist propaganda purposes. Thus, on pages 181-182, he wrote:

China's system of politics and government is as difficult for most people in democratic countries to understand as the Russian system, but it resembles that system as it existed in Russia 15 or 20 years ago rather than as it exists today. It does not have such democratic features as wide participation by non-party members in Government affairs, factory councils, and responsible functions of all kinds; wide use of the secret ballot; actual equality of women in all kinds of activities instead of nominal, legal equality, and so on, which the Russian system has been developing.

I ask you whether anyone but a Communist sympathizer would try to delude his readers into believing that Soviet Russia has, had, or is developing any such freedoms as those Lattimore specifies.

However, my main point here is that Lattimore at this period was saying the exact opposite about the Chinese Government and the Kuomintang of what he has been saying since the Communist Party line changed to hostility and denunciation of the "Fascist" Chiang Kai-shek and the "reactionary," "feudal," and what-not National Government. On page 185 of *The Making of Modern China* the Lattimores had written:

China is a democratic country in the sense that the party and the Government represent what the vast majority of the people want. When we want to make up our minds whether we ought to call another country democratic, we

quite naturally begin by comparing it with our own democratic country. Has it got the same institutions that exist in our own country? Has it got the same kinds of procedure for seeing that the will of the majority is carried out, and the same safeguards for seeing that the rights of minorities are protected? If it has not, we hesitate to call it a democracy.

This way of looking at things can often lead to misunderstandings. The most important standard by which to measure progress in a country like China is not "how near they have got to our way of doing things" but "how far have they got ahead of the way things used to be done?" Judging them by this standard, the Chinese have made very great progress; they have made so much progress that they certainly will not slip back into the old condition from which they were slowly lifted by the long struggle of the Chinese revolution—weakness, chaos, disunity, and tyranny enforced by independent regional military chieftains, combined with foreign control of a large part of their Government revenue and foreign domination of their economic life.

The present rulers and leaders of China are not revolutionary in the sense that they have suddenly and recently seized power. They are the sons and disciples of the Chinese revolutionaries of 20 and 30 years ago. It is because they represent the tradition and process of the revolution as a whole that they so confidently feel that they represent the people and the nation as a whole.

The People's Political Council is an example of the way in which the Kuomintang has begun to permit political expression through channels other than those of the Kuomintang itself. Formed during the war, the People's Political Council contains a Kuomintang majority, together with representatives of other political parties, including the Communists. This produces the curious phenomenon of recognized representation for parties which conduct unrestricted public campaigns for membership. Parenthetically, it may be pointed out that the Communists, who dominate both politically and militarily a restricted area in the north and northwest but are not permitted open political activity in the rest of China, are allowed to maintain several resident representatives at Chungking, and also have their own newspaper at Chungking in addition to their representation in the People's Political Council.

Other members of the People's Political Council are nominated or elected by Provincial or municipal organizations. In this way the total representation includes members chosen by the central organization of the Kuomintang, members representing minority parties or groups, and members from various Provinces who represent the principle of decentralized local nominations or elections. It is true that the members who stand for the Provinces are also for the most part either Kuomintang Party members or are nominated by the Provincial organizations of the Kuomintang, but on the other hand the proportion of the total membership which is elected rather than appointed or nominated has steadily increased.

The People's Political Council meets once or twice a year, and continuity between meetings is provided by a standing committee. While the council cannot legislate, it can suggest legislation, criticize Government policy, and call on all departments of the Government, including the army, for reports. Debates are conducted according to parliamentary procedure. As in all parliamentary bodies, especially during a war, some sessions are closed, when the subjects discussed might give information to the enemy; but most sessions are open and the public is admitted by ticket. It is noteworthy that an increasing proportion of the recommendations of the People's Political Council is carried into effect by the decisions of the Government.

The Kuomintang monopoly of political action and political expression is also mitigated by a planned development of local government and by allowing the press to serve to a certain extent as a carefully regulated safety valve. Control over the press is regulated in such a manner that, while occasionally a paper may have an issue confiscated or be suspended for a few days, and while papers almost never bluntly oppose a major decision of the Kuomintang or the Government, there is frequent and lively criticism of the details of execution of a policy, and this extends to criticism of individuals even when the individuals are highly placed.

In the Situation in Asia, Lattimore gave the lie to himself by directly contradicting his favorable view of wartime China. Contrast with the quotations given above the following:

In 1937, when the struggle for survival against Japan began, China was controlled by the Kuomintang, a party which owed nothing to elections or to representative forms of government and which itself appointed not only the National

Government but Provincial governments and even the administrative officials of counties. In parts of the country where its power was unchallenged, the Kuomintang made such appointments without consulting anybody. In regions where its power was weaker, it accepted and confirmed appointments made by whoever was in power locally; but the local power was also of a self-appointed kind, under control by no process of elected representative government.

During the war this Government, headed by Chiang Kai-shek, was driven into the deep hinterland. The Japanese occupied nearly half of the country, including most of the highly productive and densely populated regions. In free China Chiang Kai-shek hung on grimly in a purely defensive war described officially as "trading space for time." Within free China the Kuomintang tightened all controls, pushing its authority from the top right down into the villages. The alternative of stimulating patriotic enthusiasm by calling for popular elections and building a pyramid of representative government from the grass roots up to the apex occupied by Chiang Kai-shek himself was rejected. It was considered that the people were politically immature and that representative government would only throw into confusion the discipline needed for carrying on the war.

* * * The Kuomintang accordingly busied itself throughout the war with intensive party training. Personnel of all kinds—officers, bureaucrats, bankers, businessmen, professional men, landlords—were selected in rotation and put through intensive training schools. The course of training was heavily influenced by Fascist theories and by the methods of Hitler more than those of Mussolini. It included rigid drilling in the dogma of "One Country, One Party, One Leader," and in disciplined, automatic acceptance of orders coming down the chain of command. Initiative at lower levels was treated as subversive.

Now this quotation refers to the same Chinese National Government at the same period as the earlier one, so Mr. Lattimore cannot argue that his changed views reflect the changed nature of the Chinese Government. They clearly reflect only the changed party line.

Of course, I really may be boring you, yet it does seem that it is necessary to complete the picture.

General Marshall, in a letter to Senator Tydings, published in yesterday's papers, gives the fact that he never met the Lattimores as proof of Lattimore not having been the principal architect of our far eastern policy. But was this true of the men who were advising General Marshall? Did he not rely on the advice of the group in the Far Eastern Division of the State Department whose views reflected those of the Lattimore school?

That school was extremely influential. There existed a powerful coterie of friends of the Chinese Communists, which included State Department and Foreign Service officials and many well-known journalists, professors, and authors. This coterie of friends of the Chinese Communists, by the help they gave one another in promoting, praising, and recommending one another's writings, got into a position of practical monopoly in book reviewing in the China field in the most influential publications and in the lecture field. By scratching each other's backs and damning any book which appeared on the anti-Communist front, the pro-Communist clique succeeded in silencing the anti-Communists and in building up the reputation of the pro-Communists as the only experts. Thus they succeeded in spreading a favorable view of communism in general and a Chinese communism in particular among the general public and Government agencies and in the universities. The coterie or clique of friends of the Chinese Communists and admirers of the Soviet Union included such well-known journalists as Edgar Snow, Vincent Sheean and Mark Gaynor, Theodore White, Annales Jacoby, and Richard Lauterback, of Time and Life, the former of whom got their book, Thunder

Out of China, accepted by the Book-of-the-Month Club, and thus succeeded in spreading far and wide a view of China extremely favorable to the Communists and unfavorable and unfair to the National Government.

Senator TYDINGS. Mrs. Utley—

Mrs. UTLEY. Coming back to Lattimore—

Senator TYDINGS. If you will let me interrupt you for a moment, you made a statement there, as I recall, that General Marshall perhaps did not see Mr. Lattimore himself but his advisers saw Mr. Lattimore.

Now, what adviser did see him—what adviser of General Marshall did see Mr. Lattimore, that you know of?

Mrs. UTLEY. I am sorry; I did not get you.

Senator TYDINGS. You made a statement that General Marshall said, I think, in effect, that he did not know Mr. Lattimore, did not recall having met him, or words to that effect—you made that statement. Then you went on to say that this may be true—

Mrs. UTLEY. I accept that as true.

Senator TYDINGS. Yes; that is true; but, while Mr. Lattimore did not see General Marshall, he saw the advisers of General Marshall.

Now, to your knowledge, what advisers of General Marshall did Mr. Lattimore see and talk to?

Mrs. UTLEY. Senator Tydings, my point in all this—

Senator TYDINGS. I do not want what your point is; that does not matter. I am asking you a question.

Mrs. UTLEY. I see Mr. Lattimore's influence—

Senator TYDINGS. Just a minute. I am asking you a question.

You made an assertion. Now, what adviser of General Marshall saw and talked to Mr. Lattimore and was influenced by him? You name them.

Mrs. UTLEY. My statement was this, Senator, and I will repeat it:

Did not General Marshall have to rely on the advice of the group in the Far Eastern Division of the State Department whose views reflected those of the Lattimore school?

Senator TYDINGS. How can you prove that Mr. Lattimore made the views of these people on whom General Marshall relied, and who were these people and show whether or not they were indoctrinated with the so-called Lattimore point of view? I am only asking you as to that point.

Mrs. UTLEY. I have it later in my testimony—

Senator TYDINGS. Find it now. I would like to get it.

Mrs. UTLEY. If you will wait a minute while I have a look. I have a quotation from the white paper on China—

Senator TYDINGS. I have asked you a question, and the question is this: Tell us, of your own knowledge, what advisers of General Marshall were influenced, within your knowledge, by Mr. Lattimore—not an opinion but the facts.

Mrs. UTLEY. I have it later in my testimony. Will you give me a moment to find it?

Senator TYDINGS. I will.

Mrs. UTLEY. Sorry to keep you waiting, Senator.

I suggest to this committee that they compare the dispatches from John Davies, John Service, and Raymond P. Ludlow, as reproduced in annex 49 of the white paper on China, with Mr. Lattimore's writings.

Senator TYDINGS. That is not the question.

Mrs. UTLEY. I am getting to it. They will then appreciate the close similarity between the views of these Foreign Service officials and those of Mr. Lattimore. Now, I have got my example—one moment—

Senator TYDINGS. Let me see if I can very courteously put the question to you. You stated when General Marshall said he did not know Mr. Lattimore—so far as he knew, Mr. Lattimore had no effect on his far eastern policy—you accepted that as true, but then you said General Marshall's advisers were influenced by Mr. Lattimore. Now, I am asking you specifically, of your own knowledge, to tell us how you know that Mr. Marshall's advisers were influenced by Mr. Lattimore, and to name those who were influenced by Mr. Lattimore's writings—of your own knowledge, not your opinion or guess, but what you know.

Mrs. UTLEY. I want to quote from the white paper. May I do that?

Senator TYDINGS. The white paper will not prove that Mr. Lattimore told these men what to write to the State Department, will it?

Mrs. UTLEY. Senator Tydings, if the views of these men, as presented, expressed in the white paper, are identical with those of Mr. Lattimore's writings—

Senator TYDINGS. That may be a coincidence, or it may be due to the fact that Mr. Lattimore influenced them, but you made the statement that Mr. Lattimore had influenced them.

I am asking you how you know, when it took place, and who was influenced.

Mrs. UTLEY. My actual statement was that they reflected the views of the Lattimore school.

Senator TYDINGS. Then your further statement was that General Marshall's advisers were influenced by Mr. Lattimore. Now, I am asking you for the third time to give me any circumstances or facts that will prove that assertion.

Mrs. UTLEY. I am trying to read you a statement by Mr. John Davies—

Senator TYDINGS. Go ahead and proceed with your testimony where I interrupted you.

Mrs. UTLEY. Page 573 of the white paper, John Davies, from Chungking, accused Chiang Kai-shek of wanting "to plunge China into civil war"—continuing the quotation:

The Communists are already too strong for him. Chiang's futile China cannot coexist alongside a modern dynamic popular government in north China. * * * The Communists are in China to stay, and China's destiny is not Chiang's. * * *

Now continuing along the same John Davies—

Senator TYDINGS. You may go back, as far as I am concerned, to where I interrupted you; because it is quite evident that I am not going to get an answer to my question.

Mrs. UTLEY. Senator Tydings, excuse me. I consider that certain people, I do not say a majority or all, if certain people who were in the Far Eastern Division of the State Department, advising the Secretary of State, who of necessity had to rely on their advice, and if those views were identical with the views of Mr. Lattimore, I consider that as sufficient proof of the influence of his school of thought.

Senator TYDINGS. You consider it, but it still can be a matter of opinion as to whether your consideration is based on truth or supposition.

Now, I only asked you to give me the facts so that we can make your assertion stand up on its own, and not upon opinion.

That you have not done.

Pardon me for the interruption.

Go back to where you were in your statement and continue.

Mrs. UTRLEY. I was referring to the clique or coterie of friends of the Chinese Communists who built up an almost monopoly over the organs of public opinion in the United States.

Senator TYDINGS. You know, I was in China with General Marshall, and conferred with him at this very time, visited his headquarters, so I am not altogether guessing on what took place.

Mrs. UTRLEY. Senator Tydings, if I may interrupt you there to say that I also was there in 1945 and 1946. I am not blaming General Marshall. I am saying that he was, of necessity, forced to rely on certain advisers, and may I say that General Marshall tried, for 13 months in China, on instructions to get the China Communists into a coalition government, and in his parting statement in January of 1947, General Marshall said that he was still convinced that the Communists had included a great many liberal and what he called reactionary—those people who said that they could not collaborate with Communists.

I say that General Marshall was relying on the advice of certain people who believed that when he said those things; a few months later he learned in Paris that you could not collaborate with a Communist even if he wasn't a reactionary.

I did not want to go into this Marshall thing. I only think that any Secretary of State has to rely on his advisers.

Secondly, may I make the point, Senator Tydings, I am trying to say that this whole atmosphere, poisoned at the source, not that I blame one party or the other, I consider both the Republicans and the Democrats fell for this trap, but I was trying, in this testimony I was reading here, to show that this was a poison that went through the whole American people, irrespective of whether the people were Democrats or Republicans.

Senator TYDINGS. I think the whole Communist situation has been poisoned ever since they started in 1919, and I am sorry you did not find out this fact long before you did.

Mrs. UTRLEY. Well, I will tell you what I have written on the details of how, whenever any book appeared on China that was anti-Communist, it was damned, and among them are such books as *Way of a Fighter* by Claire Chennault, and George Creel's *Russia's Race for Asia*—contemptuously dismissed.

Had any book appeared that was favorable to the Communists, that book was highly praised.

I am trying to bring out the point here, Senator Tydings, that I do not blame either General Marshall or any other person in an important position who had not had the time to study all the documents and had to rely on the stuff available, very particularly on Asia.

The point I am trying to make is that during the past two decades the poison of misinformation about Russia and China which started as a stream, became first a river and then a flood as the pro-Communist coterie came to exert practically a monopoly over all the organs which influenced public opinion.

What I am trying to get at is: Who was responsible for the poisoning of the wells of information in America, about communism and about Chinese Communists in particular? During the past two decades the poison of information about China reached its peak. There was a flood of such material in books, radio, magazines, and reporting in the newspapers. Owen Lattimore can be said to have done more than anyone else to poison the wells of opinion with regard to China. His brilliance, his ability as a writer, and his scholarly reputation were of inestimable value to the forces seeking to destroy the free Western World. He can be said to have contributed more than any other American to the success of the Communist democratic masquerade which succeeded in inducing the United States to throw away the fruits of victory in World War II.

Here I quote from an article by David J. Dallin, published in the New Leader, April 15 last, and may I remark that the New Leader is a pro-administration paper, a Socialist-Liberal paper which has unwaveringly supported President Roosevelt and President Truman, so it is not a party matter, and I repeat it, that I do not consider it at all a party matter.

Mr. David Dallin wrote, in the New Leader on April 15, an article under the heading, "More harmful than spies," in which he said:

- Owen Lattimore as a professor is doing more harm than as an adviser of the State Department. So is Frederic Schuman, another professor named by Senator McCarthy. Both are narrow, unintelligent, and essentially dishonest men. In their colleges they freely dispense lies and treason, helping to educate potential foreign agents and real spies. This applies to a number of other college professors dealing with Russian affairs, whose names are familiar to every intelligent man in this country.

Senator LODGE. Who said that?

- **Mrs. UTLEY.** Dr. David J. Dallin, author of many books published by the Yale University Press and a frequent writer in the New Leader, a Socialist-Liberal publication in New York.

Senator TYDINGS. Mrs. Utley, we cannot condemn or exonerate Dr. Lattimore from any charges that may be made against him on the opinion of a lady who writes books published in the Yale University Press.

Mrs. UTLEY. He is not a lady but a gentleman.

Senator, may I make a point: I quote this specifically because it comes from a newspaper which is entirely friendly and favorable to the administration. It is not an attack on the administration.

Senator TYDINGS. With no disrespect to the press, if all of us had to exist on what was published in newspapers without some means of defending ourselves occasionally, there would be very few Members of the present Senate sitting, in my opinion.

Mrs. UTLEY. The Communist democratic masquerade was decided upon as the new strategy for World Communist conquest at the seventh congress of the Communist International, held in Moscow early in 1935. At that congress it was decided that the hitherto reviled and hated Socialist, labor, and liberal forces in Europe and America were henceforth to be wooed and won over as allies. Dimitrov, appointed secretary of the Comintern after the Reichstag fire trial, told the leaders of the Communist Parties of the world that they were to don sheep's clothing for the duration of the German-Japanese

menace to the Soviet fatherland, or until such time as opportunity offered to seize power in their own countries. They were reminded by Dimitrov of the legend of the Trojan horse and instructed to make their way within the wall of the capitol citadel by means of the same tactics. They were ordered to get into key positions within the democratic government by pretending to be liberals, in preparation for the day of economic crisis to come when they would throw aside their disguise and seize the state power.

In conformity with the new line, the Chinese Communists announced they would cease liquidating landlords, would be kind to capitalists, institute "democratic rights and freedom," and were ready to submit themselves to the National Government in order to fight Japan.

Nowhere in the world were the Communists as successful as in China in convincing the American people that they were really a nice liberal democratic reformist party. Nowhere else was the democratic masquerade as successful, thanks to the powerful Lattimore school.

Mr. Lattimore has stated that nowhere in his writings can you find him saying that the Chinese Communists were agrarian reformers, in conformity with the party line as stated by Mr. Budenz. Technically, this statement may be true, because Mr. Lattimore is always very careful in his choice of words and is an expert in double talk and double think. In *Solution in Asia*, page 108, he wrote:

During the 10 years of civil war the Communists, cut off from cities and urban workers, had become a peasant party.

Next he proceeds to say that the war with Japan had led the Communists to "encourage and protect both private enterprise and cooperative enterprise," and that "having created nothing less than a new coalition of group interests, they took the logical step of allowing political expression for all groups within the coalition."

Then, on the next page, 109, he tells his readers that the Communist Party limits its membership of local governing bodies to one-third, and says, and I quote: "This is the most positive step yet taken in China by any party away from dictatorship and toward democracy. It confirms the graduation of the Communists from being a perpetual minority opposition party to the status of a party which has good claims to a position within a coalition government."

He used cautious and careful language, but was Mr. Lattimore not in fact representing the Chinese Communists as a democratic force?

Now, I cannot believe that Mr. Lattimore, who is a great and widely read professor, can be so ignorant of Communist methods and techniques as not to realize that in a police state, such as Communist China, even nonparty representatives can easily be intimidated. Did he himself really believe that the limitation of Communist Party members to one-third of government positions meant democratic government, in a state or area in which the Communist Party monopolized all newspapers and the radio and controlled the army and police? Was he not, in effect, deluding his readers by representing a democratic facade as democratic reality? Surely Mr. Lattimore, who is a scholar and a political scientist, who has visited the Soviet Union, and can read and speak Russian, must have known the truth about Communist aims and practices.

In his later book, the Situation in Asia, published in 1949, I have also found references to the Chinese Communist Party being primarily a peasant party. For instance, on page 158 of this book, he says:

Ever since 1928, when the Communists lost the cities and retreated into the most backward rural districts, Mao Tze-tung has been rising to supreme leadership by slow stages, each stage marked by bitter disputes with others who did not believe, as he did, that the Communists could survive and ultimately win domination in China by relying primarily, and at times almost exclusively, on peasant support. * * *

However, I think the main point was not the exact words that Mr. Lattimore used. The point that I understood Mr. Budenz to make here before this committee was that Mr. Lattimore helped propagate the Communist myth that the Chinese Communists were not real Communists obedient to Moscow, but were liberals and democrats independent of Moscow. Certainly Mr. Lattimore has put this line across in his writings.

In Solution in Asia, published in 1945, after remarking, on page 92, that—

The Communists have now won a relatively favorable place in American public opinion—

and after apologizing for the Red terror as having been a necessity, he proceeded to say, on page 94:

Among the Communists in this period—
late twenties and early thirties—

the processes of coalition were unimportant. The vast majority were peasants.
* * * Even more important is the fact that the Chinese Communists were so isolated, south of the Yangtze and far inland from the coast, that they could not receive arms or any other help from Russia, while the intensity of the fight for survival made it impossible for them to slacken or strengthen their civil-war efforts in accordance with directives from either the International or the Soviet Government.

And he ends his paragraph with—

They were on their own.

I submit that Mr. Lattimore, who is said to be the best-informed American on China and Chinese-Russian relations, cannot have been ignorant of all the evidence which proves beyond any reasonable doubt that the Chinese Communists were never "on their own"; that they were continuously and always acting on Moscow's directions; that they have followed every twist and turn of the line laid down by Moscow as obediently, or more obediently, than any Communist Party in the world; that the Chinese Communist Party was recognized in official Comintern and Soviet Government publications as the most important of all the parties directed by Moscow, or at least as only second in importance to the German Communist Party before the defeat of the German Communist Party.

Why has Mr. Lattimore ignored all the evidence concerning the complete subservience of the Chinese Communist Party to Stalin? Why can one find nowhere in his writing any reference to such important documents as, for instance, the Chinese Communist Party's handbook on party organization, in which it is written:

According to the constitution of the Chinese Communist Party, all who recognize the constitution and rules and program of the Communist International and the * * * Chinese Communist Party may become party members * * *

The Chinese Communist Party was born with the help of the Communist International. It grew up under the guidance of the Communist International. The Chinese Communist Party and central committee, with the exception of two short periods, have been loyal to the guidance of the Communist International * * * To carry out the international line and to be loyal to the executive committee of the Communist International is to guarantee the success of the Chinese revolution.

Why, again, did Mr. Lattimore, in all his writings and in the publications he edited, fail to draw attention to such important Communist pronouncements as that made by Wang Ming, the secretary of the Chinese Communist Party, in the December 1937 issue of the Communist International explaining that the Chinese Communist abandonment of the policy of overthrowing the National Government of China by force, and their pretence of being disciples of Dr. Sun Yat-sen, was only a tactic, and that once Japan was defeated the slogan of "Sovietizing China" would be revived? Wang Ming's concluding words ran:

They—

the people of China—

regard the U. S. S. R. as the country which in actual practice has shown China how it can and must transform the country * * * into one mighty and capable of defending itself, from a country poor and backward into one rich and cultural * * * into the most democratic country in the world under the banner of the Stalinist constitution.

Surely Mr. Lattimore, as editor of a magazine published by an organization, the IPR, which assures its members that it is impartial, and devoted to objective research on far-eastern problems, was under an obligation to inform his readers concerning the salient facts concerning Russia's China policy, as shown in such pronouncements as the one I have quoted above.

Why, in view of such evidence as I have quoted, does Mr. Lattimore write as follows, on page 164 of his 1949 book, the Situation in Asia—and this is my most important quotation:

If the Chinese Communists gravitate—

please note the word "gravitate"—

toward a political center in Russia, we shall have one kind of world. If they maintain their own political center in China, we shall have a decidedly different world.

I ask this committee to consider whether Mr. Lattimore was not deliberately obscuring the facts by representing the Chinese Communists as independent of Moscow, and only as likely to "gravitate" toward Moscow if America should not be friendly to them.

Is it possible that Mr. Lattimore was so ignorant as not to know of the many protestations of unswerving loyalty and fealty to Stalin made by the Chinese Communist Party leaders? Is it not evidence of Mr. Lattimore's own subservience to Moscow that in all his books and writings he has never called attention to the abundant evidence proving that the Chinese Communist Party is a tool of the Soviet Government?

Why, again, is there nowhere in his writings to be found any reference to the documentary evidence which proves that the Chinese Communists during the war with Japan were reserving their major forces for a future struggle to place China under Russian domination?

As an expert and a scholar who reads both Chinese and Russian, Mr. Lattimore must have been aware that as early as 1937 Mao Tsetung, the leader of the Chinese Communist Party, had issued the following orders to the Communist armed forces:

The Sino-Japanese war affords our party an excellent opportunity for expansion. Our fixed policy should be 70 percent expansion, 20 percent dealing with the Kuomintang, and 10 percent resisting Japan. There are three stages in carrying out this fixed policy: The first is a compromising stage, in which self-sacrifice should be made to show our outward obedience to the Central Government and adherence to the three principles of the people (nationality, democracy, and livelihood, as outlined by Dr. Sun Yat-sen), but in reality this will serve as camouflage for the existence and development of our party.

The second is a contending stage, in which 2 or 3 years should be spent in laying the foundation of our party's political and military powers, and developing these until we can match and break the Kuomintang, and eliminate the influence of the latter north of the Yellow River. While waiting for an unusual turn of events, we should give the Japanese invader certain concessions.

The third is an offensive stage, in which our forces should penetrate deeply into central China, sever the communications of the Central Government troops in various sectors, isolate and disperse them until we are ready for the counter-offensive, and wrest the leadership from the hands of the Kuomintang.

In his testimony to this committee on April 6, page 918 in the written record, Mr. Lattimore said that, "like any other student who is worth his salt," he had "eagerly seized upon every opportunity to obtain information through chinks and crevices in the wall of fear and suppression that communism builds around its informed people. This makes it all the stranger, it would seem, that he failed to familiarize himself with, or inform his readers of, the available statements, books, theses, etc., as used by the Chinese Communists and by the Comintern."

In his statement to this committee, as quoted, Lattimore admits that the Communists have themselves erected a wall of fear and suppression. Why, then, in his 1949 book, *The Situation in Asia*, did he blame the western democracies for isolating Russia? He wrote, on page 218:

The Truman doctrine originated more in out-of-date British thinking than in an up-to-date American thinking. It is the child of the Fulton, Mo., speech at which President Truman sat on the platform while Winston Churchill rang down the iron curtain.

Why did Mr. Lattimore, during the years he edited the Institute of Pacific Relations magazine *Pacific Affairs*, never publish any articles, or reproduce or refer to any of the Communist literature, proving that the Chinese Communists were only pretending to be democrats and were acting under Moscow's instructions? I have searched in vain through Mr. Lattimore's own books, through back numbers of *Pacific Affairs* under his editorship, through *Amerasia* during the years he was on its editorial board, and through Mr. Lattimore's articles in the *New Republic*, *Asia*, the *Atlantic*, *Harper's*, and so forth, for any reference whatsoever to the evidence available concerning the Chinese Communist Party's complete and absolute subservience to Moscow.

Instead, Mr. Lattimore has written about the danger of the Chinese Communist Party "gravitating" toward Moscow unless we cease to recognize the National Government, seat the Communist Government in the United Nations, and give aid and comfort to Communist China by trading with them and giving them economic aid.

It is just as easy to misinform people by omission of vitally important information as by telling direct untruths, and Mr. Lattimore's

omissions are so serious that he succeeds in consequence in presenting a totally false picture for the benefit of the Soviet Union.

The primary and most important fact which has determined recent victory in the Far East is the subservience of the Chinese Communist Party to Moscow, and this is precisely the fact ignored or obscured by Mr. Lattimore in all his writings.

The second most important fact which has led to China becoming a satellite of the Soviet Union is the denial of American aid to the National Government of China during the critical period of the civil war. This fact is also denied by Mr. Lattimore, who falsely states in his book *The Situation in Asia*, on page 147, "all during the period of his [General Marshall's] mission the Kuomintang kept accumulating American supplies."

Again, on page 152, he writes with regret concerning the agreement with the Communists for a coalition government "which might have been obtained if military aid to the Kuomintang had been suspended."

On page 151 he says:

Defeat [of the National Government] has been largely due to the demonstrated inability of the high command to use the lavish American aid provided. * * * Kuomintang China withered on the vine not from lack of American aid but from misuse of it.

Now, the above statements made by Mr. Lattimore are untrue, and he must know that they are untrue.

What are the facts?

The facts are that while in China in 1946 General Marshall, in his efforts to force Chiang Kai-shek to share power with the Communists, embargoed American supplies of arms and ammunition to China. This embargo, which prevented the anti-Communist forces in China from buying, much less being given, American arms and ammunition, was maintained from August 1946 to July 1947. During all this period the National Government of China was unable to obtain arms or ammunition from us, while the Russians were supplying the Communists with unlimited supplies from the Japanese stocks they had captured in Manchuria and from American lend-lease supplies delivered across the Pacific to Siberia after Germany's defeat, for Russia's use in a war against Japan which she never fought.

Relying on General Marshall and those of his advisers in the State Department, I should say, who all followed the Lattimore line, President Truman in 1946 expressly forbade the sale to China of any surplus American war stocks which, I quote, "could be used in fighting a civil war."

My point here is to bring out that Mr. Lattimore's statement about all this unlimited aid to China given by America is simply not true.

In July 1947, the embargo placed on arms to Free China by General Marshall, who had that year become Secretary of State, was partially lifted to allow the Chinese Government to buy 130,000,000 rounds of .7.92 ammunition on hand in the United States, which could not be sold to anyone else since it had been made specially for the Chinese during the World War. This provided the anti-Communist forces in China with, at most, a month's supply of ammunition for their .30-caliber rifles.

I do not pretend to be either a military or an ordnance expert. But if this committee desires to know the true facts about aid to China,

as against the repeated assertions of Mr. Lattimore that we gave two, three, or four billions of aid to China to defeat the Communists—he varies the figures in his writings—I suggest that you call for the testimony of Col. L. B. Moody, a retired United States Army ordnance officer who accompanied the Donald Nelson mission to China, and who then and subsequently made a detailed study of exactly how much American arms aid has been given to China during and since the war, as contrasted with the mythical billions which Mr. Lattimore refers to.

Senator Lodge. Mr. Chairman, do I understand the witness to say that the amount of aid extended to China was very small?

Miss Utley. Yes—arms aid, for fighting the civil war.

Senator Lodge. What do you mean by "small"?

Miss Utley. Light arms and ammunition.

Senator Lodge. What do you consider to be a small amount of arms?

Miss Utley. My own calculation, in which I have been largely helped by Colonel Moody, is that it amounts to something around a quarter of a million, not the billions that Mr. Lattimore speaks of.

Senator Lodge. Speaking in dollars, a quarter of a million dollars' worth of arms aid?

Miss Utley. Yes.

Senator Lodge. Is that what you mean?

Miss Utley. Yes. I put it this way. I think this is the best calculation, if I may read this: It has been estimated by an AP correspondent in Tokyo who studied the Japanese evidence that Soviet Russia was able to supply Chinese Communists with sufficient surrendered stores of Japanese arms and ammunition to supply an army of a million men for 10 years. As against this, it can be calculated that the United States supplied the Chinese National Government, during the whole postwar period, with only sufficient light arms and ammunition to equip an army of at most half a million men for half a year. As I say, I would not pretend to be an expert on ordnance, and I would like to refer again to Colonel Moody.

Senator Lodge. And you put a dollar value of half a million dollars on that?

Miss Utley. Yes.

Senator Tydings. Might I ask you for your authority for that figure? Did you see these stores of American arms, or where did you get your information?

Miss Utley. I said that my authority for this is Col. L. B. Moody, who is a retired colonel of United States Army ordnance, who has made a detailed study of exactly what China has had, and I am suggesting to this committee that if they want the details there is nobody better qualified to give them, and I have relied on the material he has given me in making the statement.

Senator Tydings. I do not know that the committee will want it, but it won't be hard to get, for every bullet and every gun, within reason, exactly what we have given China, and in dollar values, and if the committee would like to have it I will get it and put it in the record at this point, so we can see how accurate that estimate is.

Miss Utley. Right.

My point, of course, here, in referring to these matters, is to show that when Mr. Lattimore keeps on writing in his books about the

various figures of two or three or four billion dollars or whatever figure he feels inclined to use on aid to China, it simply is not true. My main point is to show that the statements in Mr. Lattimore's books are not true and are misleading, and have made the American public unaware of what is going on.

Senator GREEN. May I interrupt to ask you why you think that this is in the interest of the Communist government, to show that we have given a very small amount to Chiang Kai-shek?

Miss UTLEY. Mr. Lattimore says we have given huge amounts. He says two or three or four million dollars' worth at different times in his works. I say they are small amounts.

Senator GREEN. You want to show that we have given less?

Miss UTLEY. Mr. Lattimore all through his book, *The Situation in Asia*, is arguing that America tried to establish tyrannical government in China, that it backed the National Government to the limit and it was defeated by the power of the ideals of communism and the greater virtues of the Communists and the attraction of the Soviet Union.

I would here refer you to an article by Mr. Lattimore in the *United Nations World* last March:

It is clear that the change of power in China cannot properly be described as primarily a victory either of Communist armies or of Communist ideas. The chief phenomenon has been the moral and political bankruptcy of the National Government of China, whose "ability" to collapse greatly exceeded the ability of the Communists to push it over.

It is also clear that Russian intervention, in the way of supplying either munitions or political and military advisers, was insignificant. * * *

As it is, we do not even have a measuring stick for assessing what kind of strength Russia has in the Far East or how much of it there may be. Whatever the Russia strength, it remains behind the Russian frontier—undeployed, unexplored, a card unplayed. What we do know, therefore, comes down simply to the fact that there has been so colossal an upheaval within China, in Chinese terms, without benefit of Russian intervention, that we can no longer analyze the China of today by use of the concepts which were adequate for analyzing the China of the Boxer Rebellion just half a century ago. This change has been so great that it could not be prevented by an American intervention measurable in money—so far as such things can be measured in money values—by an expenditure of some three billion American dollars.

Senator McMAHON. Mr. Chairman, I have a call to go to the floor.

Senator TYDINGS. You will be excused.

Miss UTLEY. Although in this article Lattimore insists that Russia did not help the Chinese Communists to win power, he elsewhere had himself once written to the contrary. In *Solution in Asia* he wrote:

There is too much danger of a drift toward making China a Poland in Asia, with America eventually identified as the not too enthusiastic backer of a "legitimate" group with too many Chinese "Polish colonels" and not enough popular support, and Russia identified as the strategically placed backer of a group which is legally "dissident" but has growing support among moderate groups as well as the peasants.

It seems to me that Lattimore has represented the Chinese Communists as both independent and not independent, according to the necessities of his propaganda.

I could go on giving you quotations from Mr. Lattimore's writings which give a totally false account of what has happened in China, and of what American policy has been; and which demonstrate Mr. Lattimore's propensity always to put the worst possible construction on America's acts, and the best possible construction on Soviet Russia's acts.

Here I give only a few examples out the Situation in Asia—page 42:

Ever since the defeat of Japan, American discussion of the fate of China has harped on the idea that China is a field of power which should be "preventively" occupied by the United States in order to keep Russia out.

So far from there ever having been any "harping" on such a theme, and so far from American policy having tried to "keep Russia out," the administration's efforts were directed to letting Russia in by General Marshall's insistence on the admission of the Communists into a coalition government.

On page 9, Mr. Lattimore refers to "American attempts in China to maintain indirect control by backing one side against the other in a civil war."

On page 43 he writes:

The grandiose and disastrous American attempt to determine the character and outcome of the Chinese civil war * * * proved that America does not have the kind of power that can settle Chinese issues * * *. The American expenditure of from 2 to 4 billion dollars included both military and economic aid to Chiang Kai-shek.

On page 165 Mr. Lattimore excels himself in his misrepresentation of America and American policy by directly echoing the Communist line of propaganda begun in 1946. Remember in that year the Communists began to say that there was no difference between American and Japanese imperialists except that American imperialism was more subtle and more hypocritical. Lattimore himself wrote—

It took 3 years and from 2 to 4 billion dollars of American money to prove the uselessness of an American attempt to imitate this early Japanese policy in China.

On page 102 he says:

In military action the biggest single battle in Asia, that of China, has already been won by the Chinese Communists with little or no aid from Russia.

Page 163: "The top political and military leadership" (of the Chinese Communist Party) "is not Moscow trained." This is one of Lattimore's biggest falsehoods, most easy to disprove, for at the time he wrote 32 of the leaders of the Chinese Communist Party were Moscow trained. Since then the number has increased. In his testimony before this committee on April 6, however, following Senator McCarthy's list of Moscow-trained Chinese Communist leaders given in his speech on the Senate floor, Lattimore admitted that most of the top leadership of the Chinese Communist Party are now Moscow trained.

Allow me to quote one or two other typical Lattimorisms designed to put the Communists in a favorable light, and to praise the Soviet Government:

On page 129 of The Situation in Asia he writes:

There will be an over-all food deficiency in China until the 1949 harvest, because of the civil war; but after that, offering food to Japan would not cause hardship in China and make the new government unpopular, because wherever the Communists have taken over they have increased food production, controlled distribution, and stabilized prices, successfully breaking the old cycle of recurring shortages and famines.

This mythical expectation is directly contradicted by the famine in China now, expected to be one of the worst in her history. But even if nature had not added to China's troubles it would have been impossible for "food to be offered to Japan" without causing hardship.

Lattimore must be well aware that with Manchuria's surplus being exported to Russia, there could not be enough food in China to go around. His lie is of course designed to show that it was only the wicked Kuomintang Government which caused food shortages. The fact is that with only an acre of land per head of the population, if one excludes Manchuria, China cannot produce enough food for her people.

I would here also like to put in the record a recent editorial in the Herald Tribune summarizing the tyranny and oppression of the Chinese people under Communist rule, as against Mr. Lattimore's picture of a China happy to have escaped from Kuomintang rule.

Senator TYDINGS. We will put in that article from the newspaper as exhibit 80, but if we get to putting newspaper articles in this record, it will be so big it will reach to the ceiling.

Miss UTLEY. I have also collected certain quotations from Mr. Lattimore's what I would call pro-Soviet propaganda, his representation of the Soviet Union as democratic and as a happy land of peasants, and all the rest of it. In the text of Solution in Asia he wrote, on page 134:

In Asia the Soviet Union has a major power of attraction, backed by a history of development and a body of procedures.

And on page 130:

To all (the Asiatic peoples along her frontiers) the Russians and the Soviet Union have a great power of attraction. In their eyes—rather doubtfully in the eyes of the older generation, more and more clearly in the eyes of the younger generation—the Soviet Union stands for strategic security, economic prosperity, technological progress, miraculous medicine, free education, equality of opportunity, and democracy: a powerful combination.

Hardly a single one of these claims is even remotely true, but Lattimore protects himself from the accusation of being a Communist propagandist by telling his reader, not that he believes all these wonderful things about Soviet Russia, but that the Asiatic peoples do. And how are his readers to question the assertion of a learned professor who has traveled extensively in China, central Asia, and Russia, speaks the language of the countries and tribes he has visited, and is not suspected of being a Communist or fellow traveler on account of his position at the Johns Hopkins University, and the respect and trust with which he is regarded by the administration?

Continuing with his assertions of untruths, or at the very least, of exceedingly controversial expressions of opinion, as if they were incontrovertible facts, Lattimore continues as follows on the same page 130 of Solution in Asia:

The fact that the Soviet Union also stands for democracy is not to be overlooked. It stands for democracy because it stands for all the other things—economic prosperity, equality of opportunity, and so forth.

Realizing, no doubt, at this point that some of his readers may possibly have enough knowledge of the Soviet Union to question his assertion that the Soviet Union stands for democracy and may begin to get suspicious of him, Lattimore proceeds to confuse and shame them by suggesting that they are narrow-minded, ignorant, and just too, too unrealistic and theoretically minded if they don't realize that Anglo-Saxon or American democracy is just "one kind of democracy"

and not a very good specimen at that, since it is not held in high regard by other nations. He writes:

Here in America we are in the habit of taking a narrow view of foreign claimants to the status of democracy. If China, or Russia, or some other alien people does not measure up to the standards of the particular American modification of Anglo-Saxon democracy, we say that it is not democratic. We are going to find ourselves boxing with shadows instead of maneuvering in politics if we stick to this habit. The fact is that for most of the people in the world today what constitutes democracy in theory is more or less irrelevant. What moves people to act, to try to line up with one party or country and not with another, is the difference between what is more democratic and less democratic in practice (pp. 130-140).

What, in effect, Lattimore has told his readers is that the Soviet Union is more democratic in practice than America. But he has carefully refrained from saying so right out. If accused of being a Communist propagandist he can reply that he didn't say so, but that the peoples of Asia think so.

The whole of Lattimore's argument is based on two false premises: (1) That the Soviet Government has greatly improved the material conditions of the Russian people and given them unlimited opportunities to better themselves; (2) that the neighbors of the Soviet Union are full of admiration and envy for the happy people under Soviet rule. Such little details as the fact that thousands of people are trying every week to escape from the benefits of Communist rule at the risk of their lives are of course not mentioned by the learned professor.

In the next paragraph (p. 140 of *Solution in Asia*) Lattimore resorts to another of his favorite techniques: a quotation from the writings of an eminent American or British writer who cannot be suspected of being a Communist:

Doubts in America about the extent to which the Stalin constitution has really been put into effect or criticisms of Soviet labor unions on the ground that they are not really labor unions, do not lead us anywhere in trying to understand what democracy means to people in Asia—or in the Soviet Union * * * Wendell Willkie describes a hot colloquy on the subject of freedom with a Soviet factory superintendent * * * finally Mr. Willkie said, "Then actually you've got no freedom." To which the Soviet engineer replied that he had more freedom than his father and grandfather, illiterate peasants, bound to the soil, with no medical attention when they were sick. He himself had had, from the Soviet system, an education and a chance to make good. That for him meant freedom.

Lattimore fails to point out that the enthusiasm of the Communist boss of a large Soviet enterprise for the system which has given him a lot of advantages proves no more concerning the sentiments of the mass of the Russian people toward the Soviet system, than any approval voiced by an executive of, say, General Motors for our "capitalist" system proves that the majority of the American people are in favor of free enterprise.

Nevertheless, having driven his opponent to the ropes by this kind of quotation out of context, Lattimore proceeds to hit him below the belt by resorting to another of the clever tricks which he constantly employs. This trick consists in overawing his critics by a display of his erudition, and assertions concerning his intimate knowledge of the sentiments and aspirations of some obscure people or tribe, of whom the reader has never heard, and concerning whom he therefore

dares not argue with so eminent an authority as Professor Lattimore. Other statements designed to deceive or totally untrue are:

Page 53:

It is this kind of historical relativity that enables the Russians to exalt a live Peter the Great, though they would regard a live one with horror.

The clear implication here is that Stalin is not a tyrant at all, whereas in fact he is a much greater one than Peter the Great.

Page 46:

Greece is a doubtful stronghold, because it is a stronghold in which the garrison is besieged by the populace.

Here Lattimore in defiance of the facts is telling his readers that the majority of the Greek population wanted a Communist Government but were forced by America to submit to a government of our choosing—untrue, or at least unproven.

Page 61:

Every one [of the east European governments] with the exception of Czechoslovakia, had been Fascist or semi-Fascist.

Another untruth. Poland, for instance, had a predominantly Liberal and Socialist Government in exile. Nor is it correct to describe Yugoslavia under its monarchy as Fascists, and Michaelovitch was certainly not a Fascist. Lattimore here accepts the Communist identification of "Fascist" with capitalist.

Page 63:

There had been an expansion of Russian power, but there has also been eastern Europe's own retreat into the arms of Russia.

All the countries referred to had Communist governments imposed on them by force, but Lattimore tries to prove that they voluntarily went Communist.

Concerning all these matters Lattimore cannot be absolved on the ground of ignorance, as I know personally he is well aware of the real situation in the Soviet Union.

May I here quote Mr. Lattimore's best-known quotation about Mr. Lattimore's attitude toward the Soviet Union. This is the jacket of the first short popular book, Solution in Asia, published in 1945, and it reads as follows:

He [Lattimore] shows that all the Asiatic peoples are more interested in actual democratic practices, such as the ones they can see in action across the Russian border, than they are in the fine theories of Anglo-Saxon democracies which come coupled with ruthless imperialism.

It seems to me that Lattimore thus definitely arraigned himself with those who were busy propagating the myth of Soviet democracy.

I have many more quotations that I could read, but I just know you cannot listen to me long enough.

Mr. MORGAN. If I may interrupt, for the benefit of the reporter can you mark those that you would like to have incorporated in the record by him as you go along, or is all of that to be incorporated?

Miss UTLEY. Parts of it I have not read. I will put them in.

Mr. MORGAN. If all of it is to be incorporated, that will take care of it.

Miss UTLEY. In passage after passage Lattimore slyly slips in big lies and small, always with the air of a detached observer and student of international affairs. In one place he casually refers to "the trend toward increased personal liberty and economic prosperity which has

contributed so much to [Russia's] advantages in competing with us" for the favor of the peoples of Asia, as compared with our tardiness in "the evolution of democratic processes." In another place he refers to the grant by Moscow to Mongolia of "independent diplomatic representation and action." All the evidence available contradicts the first statement, and the second is not true, and I would here have you note that in an earlier book which Mr. Lattimore wrote in 1935 called Manchuria: Cradle of Conflict, he honestly wrote "The loss of Outer Mongolia and its virtual inclusion in the Soviet Union * * *." Now he is writing, and I can give other references, that Outer Mongolia ought to be admitted as a Soviet state into the United Nations.

It seems to me that in his latest book, the Situation in Asia, published in 1949, Mr. Lattimore has gone ever further in deceiving the American people than in his former writings. Also, something new has been added. Formerly he urged us to recognize only the superior "power of attraction" of the great and good Soviet Union, and the virtues of the Chinese Communists. Now he is also seeking to awaken our fears. This last book of his seeks to convince us that, whether or not we like communism, the Soviet Union and its adherents over most of the world are certain to win, so we had better appease them if we want to avoid destruction.

It would seem to me that Mr. Lattimore, and others like him, had only two choices after it became increasingly clear to the American people that they had been deluded concerning the nature and aims of the Soviet Union and the Chinese Communists. They had either to retreat, or advance to the offensive. To retreat would have meant that they would be forced to admit: (a) that the Soviet Government is neither peace loving nor democratic nor "progressive" but a totalitarian tyranny under which its subjects toil without hope for ruthless masters; (b) that the Chinese Communists are not nice liberal reformers unconnected with Moscow, but very "real" Communists under Moscow's orders. To retreat would have meant that Lattimore and his friends must sacrifice their reputations and possibly their jobs since they would have exposed themselves as ignoramuses or tellers of untruths.

Having once hitched their wagons to the Soviet star, they had either publicly to recant, or convince us that the Communists are destined to win and so force us to give way to them. Lattimore has chosen the latter course.

Senator TYDINGS. Let me just say this to you. I don't want to cut you off, but it would be very helpful to our committee if you would take these two books and mark all of the parts that you want considered by the committee, and leave out your opinions on them. We will form our opinions, and we do not need any help from the outside, but we would like very much to have you confine your testimony to facts, and not what your opinion from the facts may or may not be.

Miss UTLEY. Senator Tydings, I am cutting all this out.

Senator TYDINGS. But it has been your opinion and interpretation. That is the committee's job. If you would mark those parts—and they are pertinent; I am not taking issue with you—and let the committee study the parts, we will say what they are when they are in connotation with the whole text, or separately and every other way, but it is not proper testimony for you tell what your opinion is. The

committee may agree with you and it may not. We don't want opinion evidence here. We want facts, f-a-c-t-s. We are getting very few of them. We are getting mostly opinion.

Miss UTLEY. Senator Tydings, I think that I am testifying here at least partly because I am an expert on the Far East and China, and it does seem to me that unless one has had time to study the matters it is not possible to understand the purport, intent, and influence of Mr. Lattimore's writings.

Senator TYDINGS. We are very glad to have you take Mr. Lattimore's writings and mark in pencil every item which you consider will support the opinions you have expressed. But the committee did not call you here to get your opinion on these books. It called you to present facts that will support the case in view of the charges that have been made before us. We can call in 100 experts and hear what their opinions are, and there will probably be 100 different opinions. That is not going to decide anything. What we want are facts, so please give us the parts of the books and do not give us your opinions on the parts of the books. Let us be humble enough to try to be able to see what those facts make an opinion of.

Miss UTLEY. Am I allowed to read one last quotation which is not from his books and which you might find some difficulty in finding?

Senator TYDINGS. If you tell us where it is we will take that difficulty upon our shoulders.

Miss UTLEY. It is an article of Mr. Lattimore's in the Annals of the American Academy of Political and Social Science, 1946.

Senator TYDINGS. If we allow that to go in, somebody could come in with opinions just on the opposite side to those of Mr. Lattimore. We do not want opinions of other people on what Mr. Lattimore is. Our records would be a mile high. It is our job to get every fact that is pertinent to this inquiry, and for us to form the opinions for the Senate of the United States, without opinion evidence being in here.

Without any desire to limit this hearing, this is a hearing to elicit facts. We have already had all kinds of hearsay and everything else in it, and the chairman, unless he is overruled by his committee, is going to stick a little more closely to what might be called reasonable rules of evidence.

Senator LODGE. Does that not purport to be an article by Mr. Lattimore?

Senator TYDINGS. Is it written by Mr. Lattimore?

Miss UTLEY. It is written by Mr. Lattimore.

Senator TYDINGS. Then you may read it.

Miss UTLEY. There are many other things written by Mr. Lattimore which I have not read out. I am giving this one from the Annals of the American Academy of Political and Social Science because it also shows that Mr. Lattimore has not confined his propaganda to the Far East. He says:

I think that in Europe we may look to Poland, for instance, for creative and valuable thinking in the realm of political theory and to excellent methods and techniques in political practice.

Poland—1946. I am not allowed to make any comment.

May I now, in concluding my testimony—I am nearly at the end—

Senator TYDINGS. If you are about to conclude your testimony you may read anything you want, even though it is 'way out of the limits of this.'

Miss UTLEY. I am getting to the end, Senator, and if I may say here in passing, it still seems to me that in such a difficult subject, when you are dealing with so brilliant and clever a propagandist—

Senator TYDINGS. Just a minute. We do not want your opinion about Mr. Lattimore's brilliance or propaganda. What we want are facts.

Miss UTLEY. I think that Senator McCarthy was wrong in his original statement that Owen Lattimore is the Soviet Government's top espionage agent in America. I think the Senator under-estimated Lattimore. Mr. Lattimore is such a renowned scholar, such an excellent writer, so adept at teaching the American people that they ought to stop opposing the great, good, and progressive Soviet Government, that it is impossible to believe that Moscow would regard him as expendable, as all spies are. To suggest that Mr. Lattimore's great talents have been utilized in espionage seems to me as absurd as to suggest that Mr. Gromyko or Mr. Molotov employ their leisure hours at Lake Success, or at international conferences, in snitching documents.

Mr. Lattimore has been of far too great value in influencing American opinion and in determining American policy to Moscow's advantage to be used in such a minor capacity as an espionage agent.

In searching for a suitable term to describe Mr. Lattimore I first thought of an obvious Communist designation, namely, policy saboteur. But afterward I recalled having heard that in the Chicago stockyards they call the beast who leads the other animals to slaughter a "Judas cow." This seems to me a fit appellation for Mr. Lattimore. His function has been to lead us unknowingly to destruction. I might, of course, call him a siren luring us to the totalitarian abyss with sweet songs about the progressive, just, and democratic society which he says exists in the Soviet Union. But somehow the term siren does not quite fit the learned Baltimore professor.

I do not know whether Mr. Lattimore is a member of the Communist Party or knows the influence he has devoted to the detriment of America, but, as I say, his function has been to lead us to destruction.

He may not be the "architect" of the disastrous China policy pursued by the administration, which has delivered 400,000,000 people to the tender mercies of the Communists, rendered vain the sacrifice of so many young Americans in the war against Japan, and placed the United States in dire peril. But there can be no reasonable doubt that the Far Eastern policy advocated, and to a large degree followed, by the administration, was inspired by Mr. Lattimore and his disciples, proteges, and friends.

I suggest to the committee—I have already said this—that they compare the writings of Mr. Lattimore with the dispatches of Mr. John Davies, John Service, and Raymond P. Ludden as reproduced in annex 47 of the White Paper on China to show the extreme similarity of the views of these foreign service officers and those of Mr. Lattimore, and their extreme partiality for the Chinese Communists. I have already quoted the beginning of one of Mr. John Davies' dispatches. I complete this dispatch, which Mr. Lattimore has quoted himself in an article he published in the New Republic.

In this unhappy dilemma—

says Mr. John Davies—

the United States should attempt to prevent the disaster of a civil war through adjustment of the new alignment of power in China by peaceful processes. The desirable means to this end is to encourage the reform and revitalization of the Kuomintang so that it may survive as a significant force in a coalition government. If this fails, we must limit our involvement with the Kuomintang and must commence some cooperation with the Communists, the force destined to control China, in an effort to influence them further into an independent position friendly to the United States. We are working against time because, if the U. S. S. R. enters the war against Japan and invades China before either of these alternatives succeeds, the Communists will be captured by the U. S. S. R. and become Soviet satellites.

You will note the fact that John Davies, echoing Lattimore, fails to acknowledge the fact that the Chinese Communist Party is, was, and always has been under Moscow's orders. Lattimore wrote of the danger of the Chinese Communists "gravitating" toward Russia; Davies wrote of the danger of the Communists being "captured by the U. S. S. R." and of their "becoming" Soviet satellites.

The truth was, of course, that the Chinese Communists had never been anything but Soviet satellites.

In a later dispatch, written on November 15, 1944, Mr. John Davies wrote:

We should not now abandon Chiang Kai-shek. To do so at this juncture would be to lose more than we could gain. We must for the time being continue recognition of Chiang's government.

But we must be realistic. We must not indefinitely underwrite a politically bankrupt regime. And, if the Russians are going to enter the Pacific war, we must make a determined effort to capture politically the Chinese Communists rather than allow them to go by default wholly to the Russians. Furthermore, we must fully understand that by reason of our recognition of the Chiang Kai-shek government as now constituted we are committed to a steadily decaying regime and severely restricted in working out military and political cooperation with the Chinese Communists.

A coalition Chinese Government in which the Communists find a satisfactory place is the solution of this impasse most desirable to us. It provides our greatest assurance of a strong, united, democratic, independent, and friendly China—our basic strategic aim in Asia and the Pacific. If Chiang and the Communists reach a mutually satisfactory agreement, there will have been achieved from our point of view the most desirable possible solution. If Chiang and the Communists are irreconcilable, then we shall have to decide which faction we are going to support.

In seeking to determine which faction we should support we must keep in mind these basic considerations: Power in China is on the verge of shifting from Chiang to the Communists.

If the Russians enter North China and Manchuria, we obviously cannot hope to win the Communists entirely over to us, but we can through control of supplies and postwar aid expect to exert considerable influence in the direction of Chinese nationalism and independence from Soviet control.

If time permitted I could quote many other dispatches from John Davies and other Foreign Service officials, as reproduced in the White Paper, which prove how strongly the State Department's Far Eastern Division was influenced by the Lattimore school. There were not wanting many loyal and qualified experts on communism in the State Department. The tragedy has been that they were not listened to. The Lattimore clique had succeeded in drowning out the loyal and giving paramount influence to the disloyal, or to the stupid dupes of Communist propaganda.

I should like to state at this point that I do not hold the Republican Party as without responsibility.

Senator TYDINGS. Be careful, now.

Miss UTLEY. I am trying to say I am nonpartisan in this, that it is not only the Democrats who are responsible for what has happened.

Mr. Luce, who I understand is a Republican, built up the reputations of such pro-Communist writers as Theodore White and Richard Lauterbach and Jack Belden. Mr. Dulles appointed Alger Hiss as head of the Carnegie Institution, in spite of the fact that he had been informed that Hiss was a Communist. And Mr. Lattimore enjoys quoting Wendell Willkie to support his pro-Soviet propaganda, Mr. Willkie having chosen a friend of Lattimore's and a notorious Soviet propagandist, Mr. Joseph Barnes, to accompany him to Russia and to help him write his book called One World.

Senator TYDINGS. You do not mean in the 1940 election?

Miss UTLEY. This is a long time ago, when Mr. Willkie chose Mr. Barnes to accompany him to Russia.

Senator TYDINGS. I just wanted to get the connection.

Miss UTLEY. I do not think the question of Communist influence over American policy, in particular China policy, is a party question. The issue is too grave, the peril which confronts us is too great, and the number of Republicans who follow the "Love Russia" school in the administration is too large.

The tragedy for America, and for what is left of the rest of the free world, will be the result of failing to clean house because of party politics. The Chinese are supposed to be the one nation which is primarily concerned with "saving face." It seems to me that both some members of the United States administration and certain Republicans are also more concerned with saving face than with saving America.

The Communist cancer must be cut out if we are to survive as a free nation. Perhaps in this operation some healthy tissues on the fringe of the Communist cancer will be destroyed. But we cannot afford, in this time of dire peril to the survival of western civilization, to refrain from eliminating the cancer which debilitates us because some innocents and dupes and some unprincipled careerists may be destroyed by the operation which is necessary if we are to stop the spread of the Communist disease.

Senator TYDINGS. Miss Utley, before counsel begins to interrogate you, so you will get a little chance to get a glass of water and a little relief, I am going to read into the record a telegram. This telegram is from a large city in China that shall not be named because it might be disastrous to some of the people who sent it, and it is from the American Chamber of Commerce of that city and it reads as follows. The date of it is March 16, 1949:

Reference is made to discussions now understood to be in process in Washington concerning further economic aid to the Nationalist Government of China.

Incidentally, this telegram was laid before the Armed Services Committee by me in secret session over a year ago.

The chamber of commerce of (this large city) wishes to place itself on record as being opposed to granting further American economic aid to the Nationalist Government except on a quid pro quo basis and on such terms as will guarantee the effective use of such aid in the interest of Sino-American relations, or at least in the interest of China as a whole, rather than for the benefit of self-interested groups as in the past. It must not be inferred from the above statement that this chamber favors the policies of the authorities now in control of North China insofar as such policies have so far been promulgated. On the

contrary it is our considered belief that only after the control of China policies have been taken out of the hands of either extremist group can economic aid in the strictest sense of the word be efficiently utilized. The Nationalist Government has since VJ-day avowedly been committed to a policy of eradicating communism from China. On the strength of such a policy being in the mutual interest of China and the United States they have sought and been granted considerable aid from the United States, insisting that such aid be granted them as sovereign nation and free of any restrictions on its end use, either economic or military.

Those of us who have been able to directly observe the operation of this policy have seen prostitution of the National Government functions and the accomplishment of directly opposite ends. Military, civil, and economic incompetence or worse on the part of the Nationalist Government officials is a matter of record. The cry has continually been for more, more, and again more aid, but it is an established fact that little or no effective use was made of the huge surpluses and post-war shipments of supplies, and that a considerable part of the aid went to favored groups and individuals.

Prior to the ECA program the hundreds of millions of American military and economic aid and also UNRRA provided extremely limited benefits to the Chinese people. Bureaus within bureaus set up for the administration and distribution of this thing proved inept, wasteful, and corrupt, totally incapable of implementing rehabilitation programs, but concentrating instead upon interbureaucratic controversies over the control of stockpiles and revenue from cash sales to highest bidders, totally disregarding end uses.

It can be stated without fear of contradiction that the National Government has never invested a dollar of its own money to make possible the utilization of the material in rehabilitation projects. Even implementation of ECA program, ably conceived and effectively administered in its early stages, has suffered from the rapacity of Nationalist Government officials. Our administrators are able in their own fields, but inexperienced in meeting the wiles of self-seeking Chinese in authority whose expressed ideals far too often provide a cloak for realistic thieving and graft.

To fight communism, China needed well fed and disciplined troops equipped with small arms and ample ammunition, commanded by officers themselves disciplined and convinced they were fighting in a sound cause for a government that would meet its commitments of supply and support, and committed to restoration of normal life and trade for the populace. Instead the Nationalist Government's policy since VJ-day in Manchuria and North China has been treatment of these areas as virtual colonies. Trade and commerce have been stifled; the people, taxed unmercifully and swindled out of their reserve holdings of merchandise, bullion and foreign currency, have had forced upon them the burden of unwanted so-called armies of liberation, actually occupation, most of whom were virtually foreigners coming from the South, ill fed, poorly clothed, and commanded by officers with a single-minded objective, from generals down, of amassing as much personal wealth as possible.

Armies lived off the country, thus engendering the hatred of the people who had looked to be liberated from the savagaries of banditry, strife, and prior Japanese occupation. In isolation cases where Nationalist troops did successfully fight Communists the Governor failed to make good its promises of bonus pay and support. The inevitable result was disintegration of any vestige of discipline or will to fight.

Nationalist troops tended to congregate in and misuse cities and other centers of population, only to be abandoned at the first showing of the smallest Communist forces. Warehouses—

and this is the part I am coming to—

full of military supplies and stores which the Nationalist Government would not release to their own troops were thus painlessly transferred to the Communists. Not without reason did Chiang Kai-shek attain his title given on the Communist radio of "Supply Sergeant Chiang." Those in a position to intelligently observe during the past 2 years the acquisition by the Communists of Manchuria and North China have witnessed one of the most shameful pages in the history of modern China. With but few exceptions of last-ditch defenses such as the ill-advised and ill-fated defense of Tientsin, these potential buffers against Communist aggression were abandoned to Communist forces practically without a fight.

Communist forces 4 years ago comprised a small percentage of the total armed forces in China. Their strength has been augmented twenty or more fold through voluntary turn-over of National troops. Many of these are 100 percent, all are partially, American-aid equipped. They carry American arms, use American artillery, ride in American vehicles, and are fed with American supplies. Through our support of a decadent and ineffectual Nationalist Government we have not without a measure of truth been accused of being party to the rape and eventual abandonment of a large part of China and the people therein to communism. These people do not want or believe in communism. They hated it to the extent of accepting oppressive colonial treatment at the hands of the Nationalist Government, giving up their gold and other reserves to support what they believed to be a fight against communism. They are battered, beaten, and hopeless, accepting a fate they hate but feel cannot be worse than that which they have gone through in the past 4 years. China is today in the throes of peace negotiations, wherein power groups are fighting for control. We must give encouragement to neither extreme, but rather by withholding aid until such time as it can effectively be used for the people add strength to the growth of the truly democratic group which we hope will develop.

We believe, moreover, that if the prospect of controlling large American supplies is no longer a factor at the forthcoming peace parleys the result may be an earlier agreement on the purely political issues. We respectfully request that the above views be brought to the attention of the authorities in our Government concerned therewith, and that further aid to the Nationalist Government be withheld in favor of eventual aid to a government more nearly subscribing to Sino-American ideals of democracy.

For obvious reasons these sentiments are passed to you in strict confidence as to their origin. It is hoped that the confidential status may be honored.

I can tell you that they come from a large group of conservative American business men forming the American Chamber of Commerce in one of the largest cities in China.

Senator LONGE. Will the Senator yield? Now that so much time has gone by, can we not have the name of the individual who signed the telegram? It is almost impossible to evaluate it accurately unless we know who the signer is.

Senator TYDINGS. I will give that to the committee in executive session. I do not think I ought to give it here, because these men's lives may be endangered.

Mr. FORTAS. Pursuant to the permission given me by the committee, I have furnished a number of questions to counsel for the committee to be asked of this witness. In view of the, shall I say, nature of this testimony, I now withdraw my request that the first two pages of those questions be asked. Of course they may be asked if the committee so desires, but I now repeat my request that the balance of those questions be asked. Those are designed to show this witness' connection with Mr. Kohlberg and the China lobby and the views she allegedly expressed with respect to the Nazis.

Senator TYDINGS. All right, Mr. Fortas.

Mr. Morgan?

Mr. MORGAN. Before proceeding to the questions, Mr. Chairman, I would like to say, Miss Utley, that you obviously have given a great deal of time and study to this, and I certainly appreciate the effort you have put forward in bringing this material together, and I want to be sure that all of the extracts from Mr. Lattimore's writings to which you have referred have been placed in the hands of the reporter. Is that correct?

Miss UTLEY. They will be.

Mr. MORGAN. I might also say, Mr. Chairman, that we have had reference here, and I believe also elsewhere in our proceedings, to the State Department's white paper on China. I do not believe, how-

ever, that it has been incorporated by reference or otherwise in our record. I would like, therefore, to suggest at this point that we incorporate—I would suggest by reference rather than making it an exhibit because it is so voluminous, the State Department white paper at this point.

Senator TYDINGS. The stenographer will make a note that the State Department's white paper on China is put in as one of the exhibits in this case, but not set forth in full in the testimony.

Mr. MORGAN. I not only thank you for your testimony here, but for other assistance you have rendered the staff in the course of this inquiry.

Now, as I recall the request of counsel for Mr. Lattimore, Mr. Fortas, you desire that the first two pages of questions be omitted. Is that correct?

Mr. FORTAS. Yes. I withdraw my request that those questions be asked.

Mr. MORGAN. It is your desire, I presume, Mr. Chairman, that I ask these questions?

Senator TYDINGS. Proceed in any way you see fit, Mr. Morgan.

Mr. MORGAN. The first question, Miss Utley, is "Do you know Mr. Alfred Kohlberg?"

Miss UTLEY. Yes.

Mr. MORGAN. "Have you ever worked for Mr. Kohlberg?"

Miss UTLEY. No.

Mr. MORGAN. "Have you ever received funds from Mr. Kohlberg in payment of articles you have written for the publication Plain Talk?"

Miss UTLEY. Not from Mr. Kohlberg. I have received payment from the editor of the paper. The editor of Plain Talk is Isaac Don Levin.

Mr. MORGAN. "Can you enumerate the number of articles published in Plain Talk and the total revenues received from Mr. Kohlberg directly or indirectly for these articles, or for any other services or work you have done directly or indirectly for Mr. Kohlberg?"

Miss UTLEY. I think if you will give me a moment I can say that during the last year I have done three long reviews for Plain Talk, for which I was paid \$40 or \$50 each. I wrote a few years ago a piece called Red Star Over Independence Square, about Mr. Edgar Snow, writer on China, for which, so far as I remember, I was paid \$100. It might have been \$120. And I may have had one or two other small articles. I suppose the total would come to maybe \$300—two or three hundred dollars.

Mr. MORGAN. "What is your present occupation and what are your present sources of income?"

Miss UTLEY. Well, I write books, I write articles, and I lecture. I am a free lance writer. Sometimes I make so much, sometimes I make other amounts. I make income from my writings, from my reports, from research, from lectures, and so forth.

Mr. MORGAN. "What was your function with the Chinese Supply Mission?"

Miss UTLEY. I was only with them about 9 months from 1944 to 1945, and I gave up this work. I was consultant and economic adviser. I gave up this work when I went to China, or before I went to China in the fall of 1945. I gave it up in August because I thought

that as I was going to write on China I should have no connection whatsoever with a partially Chinese Government organization. That was part American and part Chinese.

Mr. MORGAN. The next question is: "For what period of time were you employed by this mission, which I believe you said was 1945-46?"

Mr. MORGAN. You perhaps have covered this. I will ask it, however. "What were your functions with the Supply Mission, and what were the total payments you received from this source or any other Chinese sources since 1940?"

Miss UTLEY. Well, I was paid at the rate of \$600 a month. You can add that up. It is perfectly true that the Chinese also consulted me at times on how to combat Communist influence in America, and they never listened to anything I said, so I don't feel that has very much to do with it.

Mr. MORGAN. Would you care to indicate what your functions were, which I believe was also part of this question?

Miss UTLEY. I was used for economic reports and so on. It is quite true, as I say, that obviously I found when I was there that they relied on me to give them good advice about combating communism, none of which they ever took.

Mr. MORGAN. Continuing now the questions of Mr. Lattimore's counsel, "Have you recently purchased real estate in this vicinity or elsewhere?"

Miss UTLEY. No. What do you mean by "recently"?

Mr. MORTON. At any time.

Mr. MORGAN. Recently at any time.

Miss UTLEY. I don't know why I should have to go into all my personal things in this manner, but if you demand it I don't mind telling you that when I first came to live in Washington from New York I couldn't get an apartment. I was able to get a house in Chevy Chase with a very large mortgage on it, borrowed some money privately to buy—\$2,000 had to be put down—and when I came back from China, in order to write my book *Last Chance in China* I sold the house. It wasn't really my house; it was mainly mortgages and debts. I sold the house in order to be free to have the income to write *Last Chance in China*. I did not go back to work for the Chinese.

Mr. MORGAN. The next question also relates to this matter, Miss Utley. This isn't my question, you understand: "From what sources did you receive funds for the purchase of this property?"

Miss UTLEY. I have just been explaining. I can't explain any more. That is all there is. I never really purchased it. It was like paying off a mortgage instead of rent. I really don't see why I should submit to these questions.

Is it correct, Mr. Chairman, that I shall have all my private income and everything else investigated into?

Senator TYDINGS. I do not know the purpose of the question, but I would assume the purpose of it would be to show whether those who might have an interest in China of one kind or another—

Miss UTLEY. May I without having to give everybody in this room all the details about my income, which I think go to income tax authorities, say that I have not since then—August 1945—had any kind of job, any kind of connection, with the Chinese Government or with Mr. Alfred Kohlberg. I never had one with Mr. Kohlberg. Is that enough?

Senator TYDINGS. Counsel will have to decide that.

Mr. MORGAN. "Will you detail for us to the best of your recollection all sums received from Chinese sources, including the payment of your passage and expenses when you came to the United States in 1939?"

Miss UTLEY. I am sorry, but I had no money passage paid me when I came in 1939. Nothing was paid to me by the Chinese.

Mr. MORGAN. "Are you now, or have you ever been, a member or director of the China Policy Association?"

Miss UTLEY. I am a member of the China Policy Association. There is no income in it.

Mr. MORGAN. "You are a member as distinguished from being a director, or are you both?"

Miss UTLEY. When I lived in New York I was, I think it is called, a director. That is, I regularly went to the meetings. Since I have lived in Washington I go very occasionally. I haven't been to a meeting for a long time.

Mr. MORGAN. "Describe in detail the purpose and objectives of this association, its members, officers, and directors."

Miss UTLEY. Really, I think you had better ask Mr. Kohlberg. I can't answer that. It is a group of us who were interested in China, who were anti-Communist. The membership of the board of directors ranges from right to left, up and down. It includes Mr. Peabody of the New Leader; Mr. Kohlberg; Mrs. Clare Boothe Luce; Irene Kuhn, formerly of NBC although I don't know whether she is there any more. You had better ask Mr. Kohlberg.

Mr. MORGAN. "Is Mr. Kohlberg the head of the association?"

Miss UTLEY. Yes. As I say, I haven't attended a meeting in a long time.

Mr. MORGAN. The Chairman suggests that I ask, what are the objectives of the association.

Miss UTLEY. The main objective—I don't think I can answer for them, but as far as I understood it, they were a group of people interested in China who were anti-Communist and wanted to do something to counteract the influence of all these pro-Communists in the United States.

Mr. MORGAN. Perhaps you have answered this question: "Have you received any compensation for your participation in the China Policy Association?"

Miss UTLEY. No. I don't go to their meetings largely because I can't afford to go to New York just for a meeting of the China Policy Association.

Mr. MORGAN. "Did you write, in 1940, *The Dream We Lost?*"

Miss UTLEY. Yes.

Mr. MORGAN. "In that book did you advocate a negotiated peace with the Nazis?"

Miss UTLEY. Yes. That is not quite correct. I advocated a negotiated peace with Germany in order to prevent Russia dominating Europe, and I also argued—if you want the book, anybody can look at it. I argued that we could hope to have the Nazis overthrown from within, but that if the war went on to a point that Russia was able to dominate Europe, communism would be even worse than nazism.

Senator TYDINGS. Can I ask, is it possible to get a copy of the book?

Miss UTLEY. In the Congressional Library. It is out of print.

Senator TYDINGS. Have you an extra copy that we can use for reference if I were to return it to you?

Miss UTLEY. Yes.

Mr. MORGAN. "Will you give us an explanation of the quotation appearing on page 361 of that book, which reads as follows: 'If Germany can be halted upon its mad course of conquest, but not destroyed, and the genius of the German people allowed to play the leading role in the reconstruction and unification of Europe, National Socialism may be humanized and democratized.'"

Miss UTLEY. I think, Mr. Morgan, I refer you much better to my book published last year, *The High Cost of Vengeance*, in which I go into all detail in all this. My own view of Germany was that Germany had followed the false star of the Nazis owing to economic conditions and despair, and the great difference I made in that book between Communist Russia and Nazi Germany was that in Communist Russia an alternative to the Communists had been wiped out, whereas in Germany, because of murder by the Nazis of all nonparty members had never gone to anything like the extreme in Russia, in Germany my book was—you take me far outside the purpose of this committee—mainly an argument to show that Communist Russia was even worse than Nazi Germany. It was written in 1940, when most people had been led to believe that Communist Russia was wonderful and that the only criminal, the only bad, government in the world was Nazi Germany.

Mr. MORGAN. "Did you in 1941 write an article in *Common Sense*, reprinted in the Reader's Digest in October 1941, which stated: 'There are times when there is only a choice of evils, and today the evil of accepting the fact of Nazi domination of continental Europe is less than the evil which is likely to result from encouraging England to continue indefinitely a hopeless fight until English liberties also are destroyed, either from within or without'?"

Miss UTLEY. I did not bring the book; I brought this along. I would like you to take the whole article in the record if you take part of it.

My point was that America was not in the war then, and I think the whole point again is that I felt it was a choice of evils. I rather like that quotation, because that is just what I was trying to prove. I considered it was a choice of evils.

Mr. MORGAN. I am sure the entire article ought to be in the record.

Senator TYDINGS. I think the entire article ought to be in so there won't be any false interpretation drawn from it, but as I read the quote here, is that a correct quotation?

The evil of accepting the fact of Nazi domination of continental Europe is less than the evil which is likely to result from encouraging England to continue indefinitely a hopeless fight until English liberties also are destroyed, either from within or without.

Is that a correct quotation?

Miss UTLEY. That is from the original. Reader's Digest picked it up and altered it again. I can't tell you whether that is exact.

Mr. MORGAN (continuing the questions). "Do not these quotations, as well as others of your writings, establish that prior to Pearl Harbor you were writing sympathetically for the Nazi cause?"

Miss UTLEY. No; they do not.

Mr. MORGAN. "To obtain your more recent views on postwar policy, did you write in 1949 a book about Germany under the title 'The High Cost of Vengeance'?"

Miss UTLEY. Yes.

Mr. MORGAN. "In this book did you refer to Brig. Gen. Telford Taylor as 'sympathetic to the Soviet Union'?"

Miss UTLEY. I don't remember the exact words in that book, but certainly in a chapter on American activities in Germany I referred to a number of people with those kinds of leftish sympathies, if you call it leftish, who had been placed in high positions—editors of newspapers and radio stations and so on—and I referred to Telford Taylor. That was the general opinion of Mr. Taylor, and I think I give an example. Mr. Taylor had appointed a Communist to show a film around Germany. That is all in the book.

If this is going to be an examination of my writings, I wish you would look at the whole book.

Mr. MORGAN. "Who was General Taylor?"

Miss UTLEY. The counsel at the war crimes trials.

Mr. MORGAN. The Nuremberg trials?

Miss UTLEY. Yes, sir. I don't think I said he was a Communist. I think he had Communist sympathies.

Mr. MORGAN. The next question is, "Do you consider General Taylor a Communist or Communist sympathizer?"

Miss UTLEY. I am not sure, but he certainly had people appointed to positions and certainly did the things I said, but of course I referred in that book in particular to what the Swiss newspapers were saying about the trials as conducted by Mr. Telford Taylor.

Mr. MORGAN. "Did you on page 244 of that book state 'It has always seemed to me that the Communists and their sympathizers were the main influence which inspired our inhuman treatment of the Germans during the first years of the occupation, but the fact that many of the Communists and their fellow travelers were given leading positions in the military government, and acting as investigators, prosecutors, in the Nuremberg and Dachau trials were also Jews has naturally added fuel to the fire of anti-Semitic prejudice'?"

Miss UTLEY. I wrote it.

Mr. MORGAN. "Could you name for this committee any of the Communists and fellow travelers who were given leading positions in the military government who are or who were acting as investigators or prosecutors?"

Miss UTLEY. It is given in my book. I haven't got my book with me. You can look it up in the same chapter, or those two chapters, Un-American Activities in Germany and the one on the Nuremberg trials.

Mr. MORGAN. "In the New York Times, July 10, 1949, Mr. Delbert Clark wrote 'The High Cost of Vengeance is such a compilation of half-truths, rumors, and demonstrable untruths that it is difficult to make an appraisal of Miss Utley's thesis.' Could you clarify for this committee what your thesis is for United States policy and postwar Germany?"

Miss UTLEY. I should be delighted to do so if the committee has time to hear me. May I say on that that Mr. Delbert Clark's review was so untrue that I contemplated a libel action, and a lawyer here in

Washington advised me to go for a libel action on Mr. Delbert Clark. Mr. Delbert Clark accused me of lying because I quoted JCS 1007, the Joint Chiefs of Staff Order to the occupation forces, which stated nothing was to be done to rehabilitate the economy of Germany. That is absolutely an Army order. Mr. Clark said by quoting an Army order I was telling an untruth. I would bore you all to go into great detail.

May I say there, on the subject of my book, in the Saturday Review of Literature Mr. William L. White gave it the warmest possible praise: George Schuster wrote about my book in the most favorable possible terms in the Political Science Quarterly; and, if I am going to have bad reviews cited against me, I can refer you to a whole lot of reviews by very well-recognized people with very good reputations like Dr. Schuster, William L. White, and so on, who have said favorable things.

As regards the Morgenthau thing, I think this is of extreme importance, because now it is generally assumed that Mr. Harry White, the late Mr. Harry White, wrote the Morgenthau plan. Mr. Harry White has been one of the people who was accused before the Un-American Activities Committee by Miss Bentley and Whitaker Chambers.

Mr. MORGAN. Harry Dexter White?

Miss UTLEY. Yes. He was accused of being a Communist, and the main line of my book was that the whole Morgenthau plan and the whole treatment of the punishment of Germany was a Communist policy designed to drive the Germans into the arms of the Communists. If the Morgenthau plan had been carried out, we should have had no hope whatsoever. The Germans in despair would have had to throw in their lot with the Communists. It is my contention all through that book that the whole line of collective punishment of the German people, keeping them down as pariahs, was a Communist policy.

Mr. MORGAN. "Are you familiar with the New York German-language newspaper Aufbau?"

Miss UTLEY. That is a Communist paper in New York.

Mr. MORGAN. You are familiar with it?

Miss UTLEY. I think I have had a clipping from it. I am sure someone else can give you details. I don't know much about these German-language papers. So far as I know it is a Communist or fellow-traveler newspaper. Maybe somebody in this room could supply some information.

Mr. MORGAN. "Have you read a review of your book, The High Cost of Vengeance, by Kirk Hellmer?"

Miss UTLEY. Not that I know of.

Mr. MORGAN. "Do you agree with his characterization that this book is sympathetic to the Nazis and is of the highest potency 'in underground Nazi propaganda'?"

Miss UTLEY. I totally disagree, and may I say that Mr. White starts his review of my book in the Saturday Review of literature by saying "Because Freda Utley hates the Nazis, because Freda Utley is opposed to all totalitarians of the right and left, she has got so upset about the policies in Germany designed to discredit democracy."

If you want it for the record—I didn't know I was going to have an examination on my books—I could have brought it along to show you.

Mr. MORGAN. I didn't either.

Miss UTLEY. I am delighted to expound my views on Germany. I will be delighted if the committee will listen to me. If I am to answer you properly, I will have to go into great detail.

Mr. MORGAN. "Are you familiar with an article in the same publication, Aufbau, of September 2, 1949, in which it was stated, 'The Utley book not only has become must reading among the known Nazi elements around town, but organized notorious pro-Nazi groups are planning to get out a German-language edition'?"

Miss UTLEY. I haven't seen it. It is just the usual Communist smear, nothing more.

Mr. MORGAN. "Are plans for the publication of the German translation of this book German propaganda?"

Miss UTLEY. It is not pro-Nazi propaganda. My book is coming out both in England and Germany.

Mr. MORGAN. "Are you familiar with the review of this book in the Catholic World issue of 1949, where, in this review, Leonard J. Witzer writes: 'As a result of its author's remarkable mental gyrations, The High Cost of Vengeance deplores the bombing of civilians and the destruction of democracy without once placing the major blame squarely where it belongs. The people Miss Utley accuses of these crimes against humanity are all the people of this country, now her own, and their allies, and the victims, following this came fortuous reasoning, are not Hitler's slave laborers nor the innocent millions of the occupied countries but the persecuted Germans'."

Miss UTLEY. I will tell you what I know about that review. While I was lecturing in Philadelphia I was told an unfavorable review of my book had appeared in the Catholic World and in America. I got in touch with the two editors, and they said they did not realize my book had been unfairly treated, and I was at liberty to write some articles for them.

Mr. Morgan, I would say that if I am going to have read to me a catalog of all the bad things that have been said, I ought to be at liberty to bring in all the reviews from Best Sellers, another Catholic magazine, and one after the other I can give you 10 good ones for one bad one, but I think it is absolutely absurd that I should sit here and listen to a catalog of bad reviews of my book without being warned that I ought to have brought all the good ones.

Mr. MORGAN. "Do you believe that Hitler and the Nazis should have moral blame or responsibility for the crimes against humanity which, according to this review in the Catholic World, you have placed upon the shoulders of the United States and her allies in the World War?"

Miss UTLEY. In the first place I have not placed the blame upon the United States. Second, I do consider that they are to blame for their acts of genocide, and so forth, and all their atrocities. It is utterly untrue and a complete smear that anything should be said of that kind. What I have said in that book that made people mad was that the atrocities committed by the Soviet Union in Germany have equalled what the Nazis committed. That is an entirely different thing from saying that America has committed them.

Mr. MORGAN. I believe, Mr. Chairman, that concludes the questions here. Perhaps the committee has questions.

Senator TYDINGS. I would like to ask Mr. Fortas if we have asked the questions which he wants asked, or whether he wants us to ask others.

Mr. FORTAS. You have, Mr. Chairman.

Senator TYDINGS. Senator Lodge?

Senator LODGE. No questions.

Senator TYDINGS. Senator Green?

Senator GREEN. I have a few questions that I think will help us. We seem to have gotten a long way from the original purpose of these hearings. It was to give an opportunity to those who had been charged by Senator McCarthy on the floor of the Senate with disloyalty in the State Department, and who asked to be heard, to reply to those charges.

One of the charges against Mr. Lattimore was that he was the top Russian agent in this country. Therefore I want to ask you whether you know of your own personal knowledge that he is now or ever has been the top Russian agent in this country.

Miss UTLEY. No.

Senator GREEN. Then I want to ask a similar question concerning another charge that was made against him, and that is that he was a member of the Communist Party. Do you know of your own personal knowledge that he is now, or ever has been, a member of the Communist Party?

Miss UTLEY. Senator, I do not know. May I add to that that I have endeavored to show this committee how closely Mr. Lattimore's writings have followed switches in the Communist Party line.

Senator GREEN. Of course that is something quite different from being accused of being a member of the Communist Party.

Miss UTLEY. I don't think it is so very different.

Senator GREEN. You don't?

Miss UTLEY. I mean, I have no evidence whether he is or ever was. I have tried to show this committee that the things he has written are the same things Communists would write.

Senator GREEN. My question was whether of your own knowledge you had such evidence.

Miss UTLEY. No.

Senator GREEN. Have you ever seen Mr. Lattimore at Communist Party meetings?

Miss UTLEY. No; except in the sense—no; not at Communist Party meetings.

Senator GREEN. You have attended Communist Party meetings, I assume?

Miss UTLEY. I left the Communist Party. It was only the British Communist Party. I would not be likely to meet Mr. Lattimore, would I?

Senator GREEN. I do not know whether it was likely.

Miss UTLEY. I have attended meetings in England of the Communist Party.

Senator GREEN. After you joined the Communist Party?

Miss UTLEY. 1928 to 1930.

Senator GREEN. What was the nature of your induction into the Communist Party?

Miss UTLEY. Induction in my own case? When I joined the Communist Party I had just been asked to stand for Parliament in Manchester. I made a statement to the press that I was joining the Communist Party, and I was giving up my candidature to the Labor Party.

I was an open, declared member. I was never an underground party member, and I left the party as soon as I went to live in Russia.

Why I can't answer your question is that since the Communist Party became more and more the conspiracy, since you had all these undeclared members, the whole situation is different. When I was a member of the party it was a revolutionary, an openly proclaimed revolutionary party, and there were no secret members.

Senator GREEN. What I had reference to was not the declaration to the public of where you stood, which was a very proper one for you to make, but whether you took any pledge when you went into it.

Miss UTLEY. I did not make any pledge; no.

Senator GREEN. The members did not have to make any pledge?

Miss UTLEY. No. This was a long time ago, and this was England. I can't remember whether I ever made any pledge.

Senator GREEN. Witnesses here in other hearings who have joined the Communist Party have stated that they had to make a pledge of loyal support to Stalin.

Miss UTLEY. What I am trying to say, Senator, was that in my period of membership, which is nearly 20 years ago, things were very different. It was still more or less an international movement. Later on it became purely loyalty to Stalin and the Soviet Union. When I joined it was still, like the Second International or the Socialist Party, a much looser and much more international body. It was not proclaimed as being under the orders of Stalin.

Senator GREEN. Was it consistent with loyalty to your country then, at that time?

Miss UTLEY. That is difficult to answer. I suppose no; I suppose not really. I thought of it in terms of the French and American Revolutions, that this was carrying through the liberal movements of the past. I only say for myself that as soon as I learned what being a member of the Communist Party really entailed I got out. I will also say that for years of my membership I was living in Japan and was not taking any part in Communist activities. As soon as I learned what belonging to the party really meant, I went out.

I think your questions are pertinent, Senator, because I think a great many young people in this country, like I—I was still at the university then—do join the party, or come close to joining the party, without in the least understanding what it is all about.

Senator GREEN. These young people that joined the party both then and now are usually among the most enthusiastic supporters. They are anxious to do something to show their loyalty, to follow up a new cause that seems to be a just cause, and I suppose that is what motivated you.

Miss UTLEY. I stood for the London Communist Council for the Communist Party.

Senator GREEN. And they began lying and committing perjury in the interest of the cause?

Miss UTLEY. I am trying to say it was an open movement in my day. It was only when I got to Russia that I understood this necessity to lie and cheat for the party. I had not been taught that in England. I didn't know it.

Senator GREEN. Even then didn't the Communists justify lying or cheating or committing perjury for the cause?

Miss UTLEY. It was in the Communist sacred writings, so to speak, in Lenin's works, but it was not necessary to in England.

Senator GREEN. Didn't you read and understand it?

Miss UTLEY. Some knew. I don't think most of the people who joined it as I did had any conception of these things until after they got in it.

Senator GREEN. It must have been very hard for anybody brought up with these ideas of lying and perjury to change their point of view.

Miss UTLEY. I am trying to insist that even though I was for a very short period a member of the party, I never went in for this business of lying. It is a very important point you are raising. I did not lie about my affiliation. I was not one of these underground people. I did not go into lying and cheating for the party. When I learned, as soon as I went to live in Russia, that it would be expected of me, as a member of the party, to lie and cheat, I left the party. That is the point I am trying to make clear.

Senator GREEN. I was not speaking of yourself.

Miss UTLEY. No; but it is very important. It involves me, too.

Senator GREEN. I am talking about members in general. I should think it would be very hard to learn to do that as a blight upon one's own conscience. They say you must justify it to a greater cause.

Miss UTLEY. That is what Mr. Budenz said the other day. They feel their loyalty is to something else, to the Soviet Union.

Senator GREEN. And even if you won't lie or perjure yourself, or wouldn't at that time or at any time, you nevertheless believed your superior loyalty was to the Communist Party than to any country?

Miss UTLEY. That is the belief of the Communists.

Senator GREEN. That was your belief at the time, was it not?

Miss UTLEY. I did not believe that I had undertaken to lie and cheat for the party.

Senator GREEN. Was that the reason you left the party?

Miss UTLEY. Yes.

Senator GREEN. Were you expelled?

Miss UTLEY. No. I just did not join the Russian Communist Party. The normal thing was that when I went from a foreign Communist Party to live in Russia I would transfer to the Russian Communist Party. I did not transfer.

Senator GREEN. Then you were never active in the Russian Communist Party?

Miss UTLEY. The first 5 months I was there I was working in the Comintern. Then I got out.

Senator GREEN. Before you joined them in Russia you must have been transferred from the British Party.

Miss UTLEY. No. As a matter of fact, I just went to live in Russia. I went to meet my husband there. In 1928 I joined the party. In the fall of that year I went to Japan. I spent 1 year in the Communist Party in England, the early part of 1930.

Senator GREEN. Didn't you have to carry a letter that you were a loyal member in Britain?

Miss UTLEY. I had to get a visa to go to Russia.

Senator GREEN. I mean from the party.

Miss UTLEY. I don't remember; probably yes.

Senator GREEN. How do you get a visa? Don't you have to get it through the Russian Ambassador?

Miss UTLEY. Yes.

Senator GREEN. He knew you were a Communist?

Miss UTLEY. You can get a visa without being a Communist.

Senator GREEN. You were a Communist and announced it publicly before he gave you the visa?

Miss UTLEY. Yes.

Senator GREEN. Don't you suppose the information was communicated to Russia?

Miss UTLEY. Yes.

Senator GREEN. Then they did know.

Miss UTLEY. Senator, I told you I worked when I first went to Russia for 5 months in the Communist International, reading the newspapers as a reference worker. That is where I learned so much. I got out of it and got a job as a textile specialist in one of the business enterprises.

Senator GREEN. It has been stated here at other periods that no one was allowed to resign from the party, that they were expelled, that he or she was expelled from the party.

Miss UTLEY. I did not resign. I don't think that is true. I just did not transfer to the Russian Party.

Actually, you see, you must get this: In Russia, to go into the party is regarded as the greatest privilege that you can have. You get all the good things, the high position, money, food, and so on. Everybody wants to get into the Communist Party in Russia in order to get all these privileges.

Senator GREEN. Didn't you want to?

Miss UTLEY. I did not want them at the price I had to pay by being a member of the party.

Senator GREEN. At that time you had a high opinion of the party.

Miss UTLEY. No I have just said, Senator, that as soon as I went to live in Russia I had no high opinion of the party.

Senator GREEN. At the time you went you worked for 5 months for the party and then you changed your opinions?

Miss UTLEY. That is what I am saying, Senator, that during those months I learned the facts about Russia and the facts about communism and what was expected of me as a Communist, so I got out of the party.

I was married to a Russian who could not leave the country. I had to stay in Russia unless I was going to leave my husband. I got out of the party and tried to find myself an obscure job.

Senator GREEN. You never broke with the party?

Miss UTLEY. What do you mean, "broke," that I got out and put my husband's neck in the noose immediately? No.

Senator GREEN. You never resigned from it?

Miss UTLEY. Senator Green, do you understand? I did not resign. I did not apply to transfer. Do you see what I mean? I did not ask to join the Russian Party, and I did not go on belonging to the British Party because I was no longer in England. I just ceased to be a member of the party.

If you mean, if I had written a statement that "I think the Soviet Union is terrible and I am leaving the party," my husband would have just been executed. As it was, my difficulty in keeping quiet about Russia probably helped to lead him.

Senator GREEN. Then you did not leave the Communist Party at any definite time?

Miss UTLEY. Yes; I did.

Senator GREEN. How did you determine the date?

Miss UTLEY. I can tell you how, because I did not pay my dues to the British Communist Party when I was going to live in Russia, and I didn't apply to the Russian Party.

Senator GREEN. How do you fix a date? You said a definite date could be fixed.

Miss UTLEY. I can tell you just about. I went back to England in the spring of 1931 on the publication of a book called Lancashire on the Far East, and I didn't then renew my membership. I think I am correct. It is a very long time ago, but I think that is the right date.

Senator GREEN. But you did not resign at a certain time, or you did not cease to go at a definite time?

Miss UTLEY. Cease to go where?

Senator GREEN. You just allowed it to lapse by not taking an active interest?

Miss UTLEY. I am trying to tell you that it lapsed because I did not transfer my membership from the British to the Russian Party.

Senator GREEN. What were you doing in those 5 months you were in Russia?

Miss UTLEY. If you work in the Communist International you can still be a member of the international party.

Senator GREEN. You were a member of the International?

Miss UTLEY. I worked in the international for 5 months, '30 to '31.

Senator GREEN. Then you must have belonged to that.

Miss UTLEY. I did.

Senator GREEN. When did you resign from that, or were you expelled?

Miss UTLEY. I gave up my job. I wasn't expelled. I went to England to get my book published. When I went back I got myself a job as a textile specialist in the Commissary of Foreign Trade.

Senator GREEN. You have got a great many quotations from Mr. Lattimore's book to show his attitude of mind at different periods. I find Mr. Lattimore has quoted from your book, China at War, published in 1932, I believe.

Miss UTLEY. Published in 1938.

Senator GREEN. China at War?

Miss UTLEY. In 1938 or 1939, China at War.

Senator GREEN. Then I am mistaken. But he quoted from your book to this effect:

Moreover, the Chinese Communist Party long ago abandoned the dream of establishing its own dictatorship. Now that social basis is amongst the peasants of the most backward Provinces in China, and amongst the middle-class youth and the liberal reformers, its aim has genuinely become social and political reform along capitalist and democratic lines. The Chinese Communists have become radicals in the English nineteenth century meaning of the word.

Miss UTLEY. First of all, I consider I was mistaken, and one of the reasons I was mistaken is that the Chinese Communists had talked to me and welcomed me when I went to China in 1938, and I knew that in England or in Russia anybody who had left the party would have not been as friendly to me as the Chinese Communists were. That is one reason. I think in general I said other things in my book not

so definite as that. I wasn't so sure. In fact, I ended my book by saying that of course if there was a Russo-German Pact, then everything would be changed.

However, Senator, that was written in 1939; actually written in 1938 and 1939 and published in 1939. Mr. Lattimore read that out the other day. I took the trouble of getting a copy made of an article I wrote in April 1941, in Asia magazine, called Will Russia Destroy China? and I will hand you that article for the record.

Senator GREEN. I thought you had finished your testimony.

Miss UTLEY. I hand it to you. In that article I say very definitely that the action of the Chinese Communists depends entirely on Moscow. By that time I had learned completely that my first impression of the Chinese Communists was quite wrong, and I think anybody who read what I said after the Hitler-Stalin pact would be convinced that I knew I had been mistaken in 1938 and 1939.

Senator GREEN. How long was that after you had left the party?

Miss UTLEY. About 7 years.

Senator GREEN. That you wrote this?

Miss UTLEY. The book China At War?

Senator GREEN. Yes.

Miss UTLEY. About 7 years.

Senator GREEN. Seven years later?

Miss UTLEY. It was only about a year and a half after I left the Soviet Union.

Senator GREEN. At the time you wrote that you were sincere, were you not, in expressing your views?

Miss UTLEY. Yes; but I said I was mistaken.

What I am trying to get at, back in '38 and '39 there was really a united front, where the Communists completely subordinated themselves to the National Government. It was possible to believe that the Chinese Communists had really subordinated themselves to the Government. In the following years it was impossible to believe that any longer.

Senator GREEN. You did believe it when you wrote this?

Miss UTLEY. I believed it then, when I wrote it.

Senator GREEN. And you were anti-Communist at time, were you not?

Miss UTLEY. I was not. I was keeping quiet.

Senator TYDINGS. The Senator asked whether you were anti-Communist.

Miss UTLEY. I want to make this very clear. When I came out of Russia in the summer of July 1937, my husband had been arrested. He was sent to prison without trial. I knew that anything I wrote critical of the Soviet Union would cause his instant death. I waited until 1939 to decide finally that I would write the whole and absolute truth about the Soviet Union as I knew it, even if my husband was still alive and it led to his death.

You asked me about 1938. I had gone off to China partly because I didn't want to say anything about the Soviet Union if I could just keep quiet long enough, so I went off in a different field. I went off to China. Afterwards, when I came back to England and through America, at the outbreak of the European war and before that, I decided to write everything I know about communism, and my denunciation of the whole thing.

What I am trying to say about that period of that condition is, first of all, as Mr. Lattimore is fond of saying, you ought not to take just one quotation out of a book. At the end of the book I made a point that if Moscow strategy changed, there was danger of communism in China. But I saw that it was impossible to believe that the Chinese Communists were just agrarian reformers following the Hitler-Stalin Pact; and, above all, once they had, as they did already, during the course of the war, not only broken up the united front, but they are attacking the National Government. They had never gone into that united front with any sincerity. I have to give you a lot more background.

Senator TYDINGS. Let's try to give answers a little more directly to the questions.

Senator GREEN. In other words, at the time you wrote that book, in 1939 you did honestly believe, and you did say, to sum it all up, that the Chinese Communists have become radicals in the English nineteenth century meaning of the word.

Miss UTLEY. I said it and I was mistaken.

Senator GREEN. That did not mean you were a Communist, did it?

Miss UTLEY. No.

Senator GREEN. Then why did you say Mr. Lattimore is a Communist because he wrote similar thoughts?

Miss UTLEY. Because Mr. Lattimore went on writing it years afterward, when there was abundant evidence that it was not true, and I as early as 1941 wrote completely differently, that I completely understood that I had been wrong in that.

Senator GREEN. Did that show reform on your part, or vacillation?

Miss UTLEY. No; it showed a study of the evidence, of the historical record.

Senator GREEN. Were you following the Communist line when you wrote that?

Miss UTLEY. No.

Senator GREEN. Were you following the Communist line when you wrote the opposite?

Miss UTLEY. I was taking the evidence.

Senator GREEN. You talked a lot about following the Communist line, and you said Mr. Lattimore had been following the Communist line, and I want to know whether you were following the Communist line.

Miss UTLEY. I have repeated over and over again, I made a mistake in 1938 about the Chinese Communists. I corrected that mistake as the evidence accumulated of how wrong I had been, as the various happenings showed how wrong I had been, as the written documentary evidence accumulated, as happenings in history accumulated, and I learned when the evidence was placed before me that I had been mistaken, and I submit that nobody could have said that a few years later, believe me.

Senator GREEN. But at the time you said it you were following the Communist line!

Miss UTLEY. No, Senator; I was not.

Senator GREEN. You have been speaking about Mr. Lattimore's views.

Miss Utley. I would like to quote you from the end of the book. At the end of the book I made a reservation that I could be wrong. Yes; I did.

Senator Green. I think you were very safe in making that reservation.

Miss Utley. I made the reservation because I recognized that they might be under Moscow's orders all the time, and that would change the situation.

Senator Green. I have to pose the question. I won't if you will answer directly. It is this: If you honestly believed that when you wrote it, were you following the Communist line?

Miss Utley. No.

Senator Green. What was the Communist line?

Miss Utley. The Communist line at that time was, it is true, the united front. They wanted the united front against Japan in the Far East.

Senator Green. But when Mr. Lattimore used similar expressions you said he was following the Communist line.

Miss Utley. I said Mr. Lattimore's record as to whether they are this or that goes zig-zagging up and down according to the line.

Senator Green. That may be, but you were following the Communist line just as much as Mr. Lattimore.

Miss Utley. No; I was not.

Senator Green. Point out the distinction. I am not talking about the whole series of years over which you both wrote; I am talking about 1939.

Miss Utley. I said, when the evidence confronted me as it did from the time of the Stalin-Hitler Pact of April 1941, when that evidence became available, I recognized my mistake. Mr. Lattimore did not recognize his.

Senator Tydings. Senator Green has asked you simply this: If you said this in 1939, and Mr. Lattimore said it in 1939, and when he said it he was following the Communist line, why weren't you following the Communist line when you said the same thing? That is the question, not what you said in '41.

Miss Utley. I have to insist on saying that Mr. Lattimore was saying it many years later. He was saying it in '45 and '49.

Senator Tydings. The Senator is entitled to an answer. If Mr. Lattimore was following the party line in 1939 when he said it, the Senator has asked you why you were not following the party line when you said it.

Miss Utley. I said it at a different period.

Senator Tydings. All right.

Senator Green. You have spoken, I think, of Mr. Kohlberg. Are you an official of the American China Policy Association?

Miss Utley. I am not an official.

Senator Green. I thought you were a director.

Miss Utley. I said I did not know whether my name had been taken off. I haven't attended a meeting for over a year.

Senator Green. What were your duties at that time?

Miss Utley. I was just a member.

Senator Green. Did you give advice as to what their policy should be?

Miss UTLEY. I was advising them. We used to have discussions, and occasionally put out statements on China.

Senator GREEN. What was Mr. Kohlberg's relation? He was the backer or the patron of it?

Miss UTLEY. Backer or patron, I suppose. He was one of the leading people in it. Mrs. Luce was the chairman when I last used to go to meetings.

Senator GREEN. Was he one of the leading financial supporters of it?

Miss UTLEY. I don't know. I don't know anything about that.

Senator GREEN. You hadn't anything to do with it except lending your name?

Miss UTLEY. I used to attend and have discussions on China. I would, when they got out statements on China, sometimes be there, and sometimes helped.

Senator GREEN. What was the policy apart from opposing the Communist line and favoring China? Was that the idea? In other words, you were favoring Chiang Kai-shek, is that right?

Miss UTLEY. Favoring the anti-Communist forces. I must tell you, Senator Green, that the people on that committee consisted of all kinds and sorts, and some of them were very critical of Chiang Kai-shek. I have been myself in my own writings. I can refer you to Mr. Lattimore himself in his review.

Senator GREEN. We do not want to go into that.

Miss UTLEY. I am trying to say we were all on that committee. We have been very critical—I have myself—of the National Government.

Senator GREEN. All I am asking you is whether it was the policy of you at that time to support Chiang Kai-shek.

Miss UTLEY. To support the recognized Government of China.

Senator GREEN. That is the same thing, isn't it?

Miss UTLEY. Not quite.

Senator GREEN. At that time was it not?

Miss UTLEY. I don't think you can say Chiang Kai-shek and the National Government were exactly the same thing.

Senator GREEN. Wasn't it at that time? Of course Mr. Chiang Kai-shek has been in and out of leadership, but I do not think there is any question.

Miss UTLEY. I think you have to talk about the National Government. I do not think you can talk about Chiang Kai-shek.

Senator GREEN. Your policy was to support the Nationalist Government, is that right?

Miss UTLEY. Yes.

Senator GREEN. And how did the organization do it, besides publishing a magazine?

Miss UTLEY. They did not publish a magazine. They did not publish any magazine.

Senator GREEN. What did you do? Did you support a lobby here in Washington?

Miss UTLEY. No. I never heard of any lobby.

Senator GREEN. How did you function as an organization?

Miss UTLEY. Every several months or so we would discuss the latest news of what was happening in China. Maybe somebody would come back from China and make a report.

Senator GREEN. And you would get together and talk it over?

Miss UTLEY. Yes.

Senator GREEN. Did you make any speeches for them, or write any articles for them?

Miss UTLEY. Not for them. They haven't any way to publish articles.

Senator GREEN. Did they have any income?

Miss UTLEY. I suppose Mr. Kohlberg must have carried the clerical expense. Nobody was paid anything.

Senator GREEN. Do you know anybody except Mr. Kohlberg who shared in the clerical expenses?

Miss UTLEY. I couldn't tell you. Mrs. Clare Boothe Luce was one of the leading people in it, one of the founders of it. Whether she contributed any money I have no idea.

Senator GREEN. Have you ever discussed Mr. Lattimore with Mr. Kohlberg?

Miss UTLEY. Oh I suppose so. There were a whole number of people whom we recognized as the propagandists for Chinese Communists, so we might have discussed Mr. Lattimore.

Senator GREEN. What were his views about Mr. Lattimore?

Miss UTLEY. That is a difficult question for me to answer. I know everybody who was anti-Communist considered Mr. Lattimore's writings were helping the Communist cause in China, and I think probably we must have said that pretty often.

Senator GREEN. And those were the views about Mr. Lattimore that you expressed to Mr. Kohlberg?

Miss UTLEY. I don't say I expressed them. He was one of the people naturally we took to belong with that group. I cannot give you any specific information.

Senator GREEN. I am not asking for any specific information. You say you know him and you talked about Mr. Lattimore. All I am asking is what you said.

Miss UTLEY. All we probably said was "There is another book by Lattimore. What a lot of harm that is going to do." I don't know exactly what I may have said.

Senator GREEN. You do not know whether it was favorable or unfavorable to Mr. Lattimore?

Miss UTLEY. I had not read the book when I said that. I always read everything he wrote—not everything, but most of the things.

Senator GREEN. Was that your view as you expressed it to Mr. Kohlberg?

Miss UTLEY. Honestly, I cannot tell you exactly what I may have said.

Senator GREEN. I don't want to know exactly. I want to know what your views were.

Miss UTLEY. My views I have been giving you at length today, and I probably said some of the things to Mr. Kohlberg—probably—or to the whole committee.

Senator GREEN. You could not have said the opposite, could you?

Miss UTLEY. No.

Senator GREEN. Did Mr. Kohlberg agree with those views?

Miss UTLEY. I imagine that he did.

Senator GREEN. To the best of your recollection he did?

Miss UTLEY. Presumably. I never went in for long discussions with Mr. Kohlberg.

Senator GREEN. Had you ever had any financial interest in the Kuomintang or in the National Government?

Miss UTLEY. No.

Senator GREEN. Or Chiang Kai-shek?

Miss UTLEY. No.

Senator GREEN. You were employed by Starr, Parke, Freeman & Co., were you not?

Miss UTLEY. I was. I am not now.

Senator GREEN. For how long?

Miss UTLEY. From about 1940, soon after I moved to New York—about the end of 1940, again, until I went to China in '45, because even while I was working in Washington I was still consultant for Starr, Parke, Freeman.

Senator GREEN. That company has large financial interests in China, has it not?

Miss UTLEY. It had an American newspaper in China, the Shanghai Evening Post, which when I was in China in '45 and '46 I wrote some articles for. I wrote some articles for it. There is no tie-up at all between Starr, Parke, Freeman, and Mr. Kohlberg.

Senator TYDINGS. Can you respond a little more directly? It is getting late.

Senator GREEN. Can you say "Yes" or "No"? I don't want to cut you off. I asked you whether it had other financial interests in China.

Miss UTLEY. Yes.

Senator GREEN. And you went to China in behalf of the company, did you not?

Miss UTLEY. No.

Senator GREEN. Were you in their employ when you went to China?

Miss UTLEY. No.

Senator GREEN. You had left them?

Miss UTLEY. I went for the Reader's Digest, if I may add that, to save questioning.

Senator GREEN. Were you a consultant for the Chinese Commission?

Miss UTLEY. Yes.

Senator GREEN. For how long?

Miss UTLEY. I already answered that question.

Senator GREEN. Was it at the same time you were in the employ of Starr, Parke, Freeman & Co.?

Miss UTLEY. Yes.

Senator GREEN. Did you go in its behalf?

Miss UTLEY. May I qualify that?

Senator GREEN. Certainly.

Miss UTLEY. I was kept on on a very small salary with Starr, Parke, because I knew I wasn't going to take this consultant thing for long, so Mr. Starr kept me on a consultant basis. Then, in August of 1945, when the Reader's Digest said it would send me to China as its accredited correspondent, I gave up all other jobs.

Senator GREEN. What were your duties as a consultant?

Miss UTLEY. I already specified them to Mr. Morgan.

Senator GREEN. Were you to investigate conditions in China?

Miss UTLEY. I wasn't in China. I wasn't employed by them when I was in China. I said that. I was in China for the Reader's Digest in 1945 and 1946.

Senator GREEN. You were representing the Digest when you went to Miss UTLEY. And I also did some work for the Shanghai Evening Post, which was owned by Starr, Parke, Freeman & Co.

Senator GREEN. Indirectly, then, you were there in their behalf? Miss UTLEY. You can say I was still more or less employed by Starr, Parke, Freeman & Co. when I was in China, until my main employment with the Reader's Digest.

Senator GREEN. Wasn't the continuance of Chiang Kai-shek in office of financial interest to the company by whom you were employed?

Miss UTLEY. Please, Senator, I don't know how to answer that directly. May I be allowed to say this: Mr. Starr himself had very different views on China from Mr. Kohlberg's. The Shanghai Evening Post itself was a business paper in China. It had never expressed itself very forcibly on the anti-Communist side or on the Communist side. I am trying to say that I can't tell you what Mr. Starr felt.

Senator TYDINGS. Try to be as direct as you can. If you can't, say you can't.

Senator GREEN. My question was whether the continuance of Chiang Kai-shek in office was ~~not of considerable~~ financial interest to the company.

Miss UTLEY. I cannot answer that question.

Senator TYDINGS. Could you give us your opinion on that?

Miss UTLEY. Look here, Senator. I don't think this is right. I don't think I have any right to give Mr. Starr's opinion second-hand.

Senator TYDINGS. You have taken a lot of liberty in giving your opinions on everything else.

Miss UTLEY. Mr. Starr is not arraigned before you. I have long not worked for him.

Senator GREEN. Do you think it was to the financial interest of Mr. Kohlberg?

Miss UTLEY. It may have been.

Senator GREEN. Do you know Mr. William J. Goodwin?

Miss UTLEY. No.

Senator GREEN. Do you know Father James F. Kearney? He is the author of Disaster in China.

Miss UTLEY. No; I don't.

Senator GREEN. Do you know of the Institute of Pacific Relations?

Miss UTLEY. What about them?

Senator GREEN. What do you know about it?

Senator TYDINGS. Not what you have heard, but what you know.

Miss UTLEY. What I know about the Institute of Pacific Relations? I have to make another long statement.

Senator TYDINGS. Miss Utley, if you know something about the Institute of Pacific Relations that would be proper in answer to the Senator's question, please say so directly.

Senator GREEN. Have you been connected with it in any way?

Miss UTLEY. No.

Senator GREEN. Did you help Mr. Kohlberg in his efforts to get control of it?

Miss UTLEY. No.

Senator GREEN. Did you discuss it with Mr. Kohlberg?

Miss UTLEY. I knew what was going on. I knew Mr. Kohlberg was very anxious—how am I going to put it—very anxious to stop the IPR from spreading what he considered to be a Communist line.

Senator Green, may I go back? I want to make one thing clear. I believe that when I went to China in 1945 and 1946 I said I worked for Mr. Starr's paper while I was in Shanghai, and I also believe that originally my application to go to China was on behalf of Starr, Parke, Freeman, although my fare was paid by the Reader's Digest. I want to be sure I am answering that correctly.

Senator GREEN. Your correction will appear in the record.

You no doubt saw in the papers on Sunday the statements of Secretary Acheson and three former Secretaries of State about these proceedings and the work of this investigating committee?

Miss UTLEY. Yes.

Senator GREEN. Did you see in the papers these statements by the present and by three ex-Secretaries of State?

Miss UTLEY. Yes; I saw them.

Senator GREEN. Did you see General Marshall's?

Miss UTLEY. Yes.

Senator GREEN. Do you agree with the criticism that has been made of it, that it was childish and silly?

Miss UTLEY. No.

Senator GREEN. What do you think of it?

Miss UTLEY. I don't think it was childish and silly. I don't think it answers the question. I think it is irrelevant.

Senator GREEN. There has been a good deal of irrelevancy in these hearings. Is that all you can say of it?

Miss UTLEY. I have already said something in my prepared statement.

Senator GREEN. Do you agree with it?

Miss UTLEY. I said that the fact that General Marshall did not know Lattimore does not prove that the people upon whom he did rely for information did not know him.

Senator GREEN. I understood all that.

Miss UTLEY. You asked me what I had to say.

Senator GREEN. I am asking your opinion of what he stated in his letter.

Miss UTLEY. I just repeated what I said. That is my opinion.

Senator GREEN. You also said it was irrelevant.

Miss UTLEY. It doesn't prove anything.

Senator GREEN. It didn't prove anything? Do you agree with his opinion as expressed?

Miss UTLEY. It is a very vague statement.

I have been very busy, and I just have glanced through it. I can't remember everything he said.

Senator GREEN. But you do not agree with the characterization of it as childish and silly?

Miss UTLEY. I do not agree with such words.

Senator GREEN. What would you say, in your own words?

Miss UTLEY. What I said, Senator, was that I do not think the question of whether he knew Mr. Lattimore was of any great importance.

Senator GREEN. But what you think is of some consequence to us. You have been telling us what you thought.

Senator TYDINGS. You have been telling us all afternoon what your opinion was on these matters. Miss Utley, I think so long as you were not interrupted and were allowed to go on for hours you must also give your opinion on other things.

Miss UTLEY. If Senator Green means I have to give my opinion on the whole of General Marshall's statement, may I see it, please?

Senator TYDINGS. I would like to say that all this opinion evidence, if the Chair did his full duty, would never have been permitted, but in the interest of fairness I have allowed the widest range of evidence in this case. We cannot find out truth or falsity simply by opinion.

Miss UTLEY. May I just ask what I am asked to express an opinion on?

Senator GREEN. I understood you to say you were an expert on China.

Miss UTLEY. Yes; more or less.

Senator GREEN. Also I understood you to say General Marshall was influenced, perhaps unconsciously, by Mr. Lattimore's views.

Miss UTLEY. I call it the Lattimore school; yes.

Senator GREEN. Then you must know what General Marshall's views are, or you could not have made that statement.

Well, assuming General Marshall expressed his views in this letter, do you agree with him or not?

Miss UTLEY. According to that statement as I read it, he does not give any particular views about China. He says "I didn't hear Lattimore and he didn't influence policy." That is what he said.

Senator GREEN. You know what General Marshall's views were at the time?

Miss UTLEY. Yes.

Senator GREEN. Did you agree with them or not?

Miss UTLEY. No. I thought he was mistaken.

Senator GREEN. Then, instead of childish and silly, you would simply say you considered them mistaken?

Miss UTLEY. Badly advised.

Senator TYDINGS. I assume that General Marshall could be wrong. I assume likewise you might be wrong.

Senator GREEN. Do you admit both statements?

Miss UTLEY. I am on record, if I may say so, Senator, on all these matters.

Senator GREEN. You tried to connect Mr. Lattimore with the Communists by reading several extracts which you claimed showed he was following the Communist line. Do you think he was following the Communist line when he supported the Marshall plan?

Miss UTLEY. I prefer to leave the answer to that to Mr. Budenz. I don't think the Marshall plan alone was going to stop communism, just advocating the Marshall plan.

Senator GREEN. Do you think support of the Marshall plan is consistent with following the line of the Communist Party?

Miss UTLEY. I think what Mr. Budenz said is probably correct, that some people are permitted such opposition.

Senator TYDINGS. The Senator asked you whether support of the Marshall plan was following the line of the Communist Party. The answer should be "Yes" or "No" and it ought to be brief.

Miss UTLEY. No.

Senator GREEN. Do you think he was following the Communist line when he was advocating aid to Finland during the war?

Miss UTLEY. I would like to see the evidence of his support, and what kind of it.

Senator TYDINGS. Assuming he did, would you say that was following the Communist line? Yes or no?

Miss UTLEY. No.

Senator GREEN. What was your public position with respect to aid to Finland during that war?

Miss UTLEY. I was not in a position to give any aid myself. I was in favor of aid.

Senator GREEN. Like Mr. Lattimore. Was that evidence that you were following the Communist line, then?

Miss UTLEY. No.

Senator GREEN. How were you about the Russian-German pact? What was your position on that at the time?

Miss UTLEY. Two totalitarian nations had come together.

Senator GREEN. Were you in favor of the pact, or were you opposed to the pact?

Miss UTLEY. I thought the pact was a very terrible disaster.

Senator GREEN. Was that following the Communist line?

Miss UTLEY. No.

Senator GREEN. Then if Mr. Lattimore supported it, was he following the Communist line?

Senator TYDINGS. When Hitler and Stalin agreed on the German-Russo pact, you said you were opposed to it. If Mr. Lattimore likewise said he was opposed to it, were either you or he following the Communist line when that proposition took place, according to your position thereon?

Miss UTLEY. No, Mr. Chairman; but you must allow me to say that he never said he supported it. I don't know what is being referred to.

Senator TYDINGS. He just asked you that question, and I would like to get an answer. The Senator has his own reasons—I don't know what they are—for asking these questions. I am simply trying to move along.

Senator GREEN. You wrote a book called China at War, which we have already made reference to, in 1939, and in that book you wrote:

Whereas the new line of the Comintern is the consequence of Russian fear of Germany and Japan, and insofar as it received support from labor and liberal elements in France and England as a result of their fears of losing their colonial possessions, in China the united front policy would, in all probability, have come about irrespective of Hitler's rise to power.

Miss UTLEY. Did I write it?

Senator GREEN. Did you not?

Miss UTLEY. Presumably. I do not remember that passage.

Senator GREEN. That did not prove you were a Communist, did it?

Miss UTLEY. No.

Senator GREEN. Then why do you say it is an evidence of communism when Mr. Lattimore writes similar thoughts?

Miss UTLEY. Mr. Chairman, I cannot answer "Yes" or "No" when I am asked that sort of question.

Senator TYDINGS. Do the best you can.

Senator GREEN. There are other similar phrases. I think you attempted to explain before that now you think you were wrong when

you wrote those, but I thought I was justified in bringing them to your attention in view of the fact that you laid such stress on Mr. Lattimore's being a Communist because he had taken similar views, and I wanted to bring out, if I could, that you had the same views that Mr. Lattimore had. Now you have changed your views. I don't know whether he has changed his or not. But you were using evidence that he was a Communist, and apparently it is no evidence that you were a Communist, because you have vigorously denied that.

Miss UTLEY. Senator, if you can show that my writings have changed according to the Communist Party line, and that I said one thing at one time and another thing at another, which fitted always the Communist Party line, then you have a point.

Senator GREEN. This policy at that time you said was the only possible policy in China.

Miss UTLEY. Senator, in my testimony I endeavored to show that Mr. Lattimore has changed his views and said different things about the same thing at different times to fit the Communist Party line. I have not done so.

Senator GREEN. To come down to the last, all your evidence today is to show that Mr. Lattimore's opinions differ from your opinions, and that he has changed his opinions at times and you have done the same.

Miss UTLEY. Sir, my evidence was to show that his opinions always changed at the same time the Moscow line changed. That was the whole point of my quotations.

Senator GREEN. But when he changed at the same time you did, did it also follow from that that you were following the Communist line?

Miss UTLEY. He did not change.

Senator GREEN. If you did not follow that line I do not think it is necessary—there are other quotations from your books that I could read, to show the same position then, but you may say you have changed them since, and I am not accusing you of being a Communist because you expressed those views. It seems to me that there is reason for taking one side or the other at that time, and there may be still, without being accused of being a Communist.

That is all.

Senator TYDINGS. The Chairman will request counsel to get someone to go into Miss Utley's books and take the quotations that Senator Green has brought out, with their dates, and also to go into Lattimore's books and take such quotations as have been brought out there, and see if they are on all fours as to date and time.

Miss UTLEY. May I request that if all these unfavorable reviews are to be put into the record I certainly should be allowed to offer favorable reviews?

Senator TYDINGS. You are not on trial for being a member of the State Department who is disloyal, a disloyal American.

Mr. Demaree Bess, of the Saturday Evening Post, has written me a letter which I was going to put in the record. I have not talked with Mr. Bess, and I understand he is in the room and very anxious to leave, and has only a short statement to make. I would like to ask counsel for Mr. Lattimore whether he would object at this time to allowing Mr. Bess to make a statement.

Mr. FORTAS. Not all all. I was going to suggest, after discussion and consultation with Mr. Bess, that instead of his taking the time

to make a statement we be permitted to put into the record his letter to you, which Mr. Bess believes covers the subject.

Senator TYDINGS. I will read Mr. Bess' letter, which I sent down and got when I learned he was here, and if the members of the committee would like to ask him questions they can.

I am going to ask Mr. Bess, however, if he won't attend and be sworn, and read his own letter to me, so it will have the authenticity I think it ought to have. Will you hold up your right hand?

Do you solemnly promise and declare that the evidence you shall give in this matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Bess. I do.

Senator TYDINGS. Miss Utley, let me thank you for coming and testifying. If you will exchange chairs with Mr. Bess, we will allow him to read his letter and the committee can ask him any questions they desire.

First of all we will ask you for your full name.

STATEMENT OF DEMAREE BESS, ASSOCIATE EDITOR, THE SATURDAY EVENING POST

Mr. BESS. My full name is Demaree Bess. I am associate editor of the Saturday Evening Post.

Senator TYDINGS. Where do you reside?

Mr. BESS. I have resided recently in Paris. I now reside in this country.

Senator TYDINGS. Your address now is care of the Saturday Evening Post, Philadelphia?

Mr. BESS. Yes, sir.

Senator TYDINGS. How old are you?

Mr. BESS. Fifty-seven years old.

Senator TYDINGS. How long have you been a correspondent and writer?

Mr. BESS. I have been for 25 years a foreign correspondent, 10 years in China and Japan, 4 years in Soviet Russia, and since 1937 in Europe.

Senator TYDINGS. You are well known by reputation. I think you may now go on and read the letter.

Mr. BESS (reading) :

DEAR SENATOR TYDINGS: I am writing to you because Owen Lattimore was my house guest during his visit to Moscow in 1936, about which Senator McCarthy has raised questions before your subcommittee. Mr. Lattimore stayed with me because he was—and is—an old and valued friend whom I had known intimately during my previous 10 years in the Far East as correspondent for American newspapers.

There was nothing mysterious about Mr. Lattimore's visit to Moscow; he came there as an editor of Pacific Affairs, a publication of the Institute of Pacific Relations. As you probably know, the institute was organized into national groups, and the Soviet group was then an active participant.

As I had already worked in Russia for more than 2 years, I was able to help Mr. Lattimore to meet some Russians. In particular, I introduced him to a Soviet consular official I had met as a reporter and who had spent some time in Mongolia, a country about which Mr. Lattimore was—and is—the foremost American specialist. This Soviet official—

I say in this letter to you—
whose name I have forgotten—

but I now remember it was Kantorovich—

was very helpful to Mr. Lattimore—as he had been to me—and introduced him to other Russian experts on Mongolia and Central Asia, and guided him through Moscow museums and libraries devoted to these subjects. At that period the great purges had not yet started in Russia, and it was much easier for Americans to meet Russians than it later became.

Knowing my interest, Mr. Lattimore gave me detailed reports of his meetings with Russians. He was understandably impressed by the extent of Russian material concerning Russo-Chinese border regions—which seem very remote to Americans but are not so remote to Russians.

In a speech on the Senate floor, Senator McCarthy mentioned an affidavit by an unnamed Russian who has reported a conversation in 1938 with a Soviet intelligence officer who boasted that his organization was getting valuable information through the Institute of Pacific Relations, and especially through Mr. Lattimore. This is interesting evidence that the Soviet intelligence organization was as smart as I myself was at the time—because I, too, was getting useful background material for my newspaper articles from the Institute's specialized reports and from conversations with Mr. Lattimore and other Americans working for the institute.

But perhaps the Soviet intelligence officer mentioned by Senator McCarthy was not quite so smart as he thought, because there is no doubt in my mind that Mr. Lattimore learned considerably more from the Russians during that Moscow visit than they did from him—and this information later became available through Mr. Lattimore to our own intelligence services and to the State Department.

During my many years' friendship with Mr. Lattimore in China, he never showed any special interest in Russia except insofar as the Russians were concerned with Mongolia and Central Asia, his chosen field of research and exploration. To my certain knowledge, Mr. Lattimore devoted almost his entire time during the 1938 Moscow visit to this same specialty. Those were the years when it was popular in the United States to be a "pink," but I never saw even the slightest evidence that Mr. Lattimore was becoming even the mildest form of "fellow traveler."

You may use this letter, in whole or in part, in any way you see fit. My own record is available in Who's Who in America. I think that my articles in the Saturday Evening Post during the war—when it was not popular to be critical of Russia—are sufficient evidence of my personal views about the Soviet system.

Senator TYDINGS. That is signed by you?

Mr. BESS. That is signed by me.

Senator TYDINGS. The original letter will be given to the reporter as exhibit 81 in this case.

Tomorrow morning at 10:30 the committee will resume and hear Mr. Lattimore's reply to the evidence that has been adduced today.

(Whereupon, at 6 o'clock p. m., the hearing was recessed to reconvene at 10:30 a. m. the following day, Tuesday, May 2, 1950.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, MAY 2, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to adjournment on Monday, May 1, 1950, in the caucus room, room 318 Senate Office Building, at 10:30 a. m., Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Senator Knowland; Mr. Edward R. Morgan, chief counsel to the subcommittee; Mr. Robert Morris, assistant counsel to the subcommittee.

Senator TYDINGS. The committee will come to order.

As was scheduled, we are here this morning to hear Dr. Lattimore. Doctor, if you will take the stand, Mr. Forman, if you would like to come up with him, you may be seated. You have already been sworn, of course. We do not swear witnesses but once, and that applies to all testimony.

You may proceed in your own way.

STATEMENT OF DR. OWEN LATTIMORE

Dr. LATTIMORE. Mr. Chairman, I appreciate the opportunity that you have given me again to appear before you in response to the charges that have been made concerning me.

Senator McCarthy made his charges against me from a fox hole of immunity on the Senate floor, about 1 month ago. Since that time he has obviously been engaged in a frenzied effort to prove them, or at least to make them appear plausible. He has been assisted by a staff headed by a former Congressman from Wisconsin, Mr. Kersten, and by investigators who are being paid to beat the bushes for something, anything, that will take the Senator off the spot.

Before discussing the testimony that these frantic efforts have produced, I want to recall to your minds the charges of the man who recklessly or maliciously began this attack upon me and the Government of the United States: namely, Joseph McCarthy.

You need go no further than the undisputed facts—you need go no further than the charges, which are not supported by a shred of evidence, perjured or otherwise—to establish the fact that the Senator criminally libeled me.

First, the Senator said that I am "the top Russian espionage agent in the United States." Not even the Senator's own procured witnesses were willing to support this. Even the witness Budenz denied it. He said that it was "technically" not correct.

Second, the Senator said that I am "one of the top Communist agents in this country." None of the witnesses even attempted to support this.

Third, the Senator said that I am "a Soviet agent." No evidence supports this.

A reading of the record fails to show that any witness—not even Budenz—directly charged that I was a member of the Communist Party. I shall deal with Budenz' testimony in detail.

Perhaps the most reprehensible aspect of McCarthy's attack was his effort to pillory the State Department because of my alleged subversive activities. You will recall his nonsensical and absurd statement that I had a desk and telephone in the State Department, and that somehow or other I was an official of the State Department. His device was to attribute guilt to the State Department by insinuating that the Department was associated with me, so that if my subversive affiliation could be proved, it would follow automatically that the State Department is full of Communists.

As I testified earlier, and as four Secretaries of State said a few days ago, I have never been an official of the Department or the "architect" of its far-eastern policy. If Senator McCarthy wants to join the Communists in an effort to destroy the effectiveness of our foreign policy, he will have to find another stick with which to beat the State Department to death. I repeat that I, and I alone, am responsible for what I have written and done. I take a certain amount of pride in what I have written and done. I am and have been a private, independent American citizen, neither receiving nor taking orders or money from the Communists, Kohlberg, the China lobby, Joe McCarthy, or anybody else.

Accordingly, I hope that it is clear beyond question that you are here investigating a private American citizen: a university professor, a journalist, an author, and lecturer. You are investigating a man who has no official position with the United States Government; who is neither the "chief architect" nor even one of the architects of our far-eastern policy. You are investigating a man who has spent his life in business activities and studies of the Far East, who has written and lectured extensively concerning his specialty, and who has strong views concerning the past, present, and future of that area which he has freely and publicly expressed.

Senator McCarthy, however, has chosen to stake the validity of his charges against the State Department and to stake his own reputation on his accusations against me. Unlike the Senator, I am an American who wishes to protect our Government against baseless, destructive charges which give aid and comfort to any hostile foreign power. For this reason, I am glad to accept the role in which he has cast me, and by proving that his charges are false and malicious to silence the Senator once and for all—or to show again that his word is worthless. I ask only that this committee render its verdict in clear-cut terms, so that the Senator can then be plainly advised that he has been caught out in his fraud and deceit; that he has lost his

test case; and that he should henceforth confine himself to other—and less important—activities than those of a destructive critic of the State Department and a despoiler of character of good American citizens. The Senator, to use his own term, "is clearly a bad policy risk."

I have replied to the Senator's own charges at length in my statement before this committee on April 6. Since that date you have heard the testimony of two ex-Communists, Budenz and Freda Utley, who were produced by McCarthy as witnesses against me. McCarthy also produced a man named Kerley who was supposed to prove that the disappearing witness, Huber, had in fact been an FBI informant.

On the other side, you have heard the testimony of two ex-Communists, Browder and Bella Dodd, who were called by the committee. Both of these persons were formerly high officials of the Communist Party. Both denied the existence of any connection whatsoever between me and the Communist Party or Communist activities.

Senator McMAHON. Mr. Chairman, I noticed Dr. Lattimore says that Browder and Dodd were called by the committee. That was at the request of your counsel, however, was it not Dr. Lattimore?

Mr. FORTAS. No; it was not, Senator.

Senator TYDINGS. No. Browder was called at the request of Senator Hickenlooper, and the other witness, Bella Dodd, I believe was suggested by Mr. Fortas.

Mr. FORTAS. No; that is not so. I produced an affidavit of Bella Dodd here, and it was the committee's decision to call her. I did join in Mr. Budenz' request that Frederick Vanderbilt Field be called.

Senator TYDINGS. Mr. Budenz wanted Browder and Frederick Vanderbilt Field called, and I think Senator Hickenlooper suggested to the committee that we do that.

Senator HICKENLOOPER. Mr. Chairman, I want to straighten that out. It gets a little restless to have these insinuations cast out constantly. The facts about the calling of Mr. Browder are these, and I am going to talk about an executive meeting of the committee right now.

The facts are that the question of whether or not Mr. Browder and Mr. Field should be called was brought up. Various views were expressed. Among others I said, "Well, I presume we might be criticized for not attempting to investigate all of the facets of this thing if those people aren't called. So far as I am concerned, probably we ought to call them." But it was entirely up to the committee, and the committee itself agreed that they should be called. I did not generate the matter; I merely expressed my opinion in response to the suggestions that had been made in open session just as one of the five members of the committee, and I resent the insinuation that I generated the calling of any of these individuals other than to express my opinion within the executive committee meeting.

Senator TYDINGS. I think that was how it happened. The Senator said we would be criticized if we did not call them, at which I made the observation that I was opposed to calling any Communists, that it was very doubtful in my mind if I could find it in my own conscience to believe anything they said, but if anybody wanted them called I would call them. Because I have been criticized in the press for calling him, I seize this opportunity to say again that I opposed the calling of Communists to testify in this case.

Go ahead, Doctor.

Dr. LATTIMORE. The committee has also heard a denial of any connection between me and Communist activities from a person who is alleged to be a present member of the party: Frederick Vanderbilt Field.

However the committee may feel about relying upon ex-Communists such as Browder, Utley, Budenz, and Dodd, it will not, I am sure, discount the evidence of Demaree Bess, or of Brig. Gen. Elliott Thorpe, who was head of counter-espionage and civil intelligence for General MacArthur during the war and who, with the assistance of his staff, made an investigation of me on several occasions. General Thorpe testified, as you will recall, that he found no indication whatever of Communist affiliations or influences on my part. On the contrary, he testified that "I can only say that were I called on to commit my personal safety and that of my command on information supplied by Dr. Lattimore, I would do so with confidence that he would always act as a loyal American citizen."

Now, gentlemen, I of course do not enjoy being vilified by anybody: even by the motley crew of crackpots, professional informers, hysterics, and ex-Communists who McCarthy would have you believe represent sound Americanism. But on the other hand, I do not like to appear to rely upon the testimony of others to establish my own good character. My life and works speak for themselves. Unlike McCarthy I have never been charged with a violation of the laws of the United States or of the ethics of my profession. I have never been accused, as McCarthy has been, of income-tax evasion, of the destruction of records that were in my official custody, or of improperly using an official position for the purpose of advancing my own fortunes, political or otherwise.

Unlike Budenz and Utley, I have never been a member of the Communist Party, or subscribed to a conspiracy to overthrow and subvert established governments. Unlike Budenz, I have never been engaged in a conspiracy to commit murder or espionage.

I have examined the Attorney General's consolidated list of subversive organizations and to the best of my knowledge and belief I have never been a member of any of them.

I recognize, however, that so long as a reckless and irresponsible man like Joseph McCarthy is in a position to abuse the privileges of the United States Congress, the quality of a man's life and activities, however impeccable, does not protect him from vile assault. Even our greatest living American, General Marshall, has been subjected to McCarthy's vicious, dastardly, and repeated insult.

Accordingly, I am forced to take your time—the time of five important Members of the United States Senate and of its Foreign Relations Committee—to analyze and answer in detail the so-called evidence that this man McCarthy has presented in his effort to blacken the name of an American citizen in the hope that he will thereby be able to destroy the confidence of the American people and of the people of the world in the integrity of our Secretary of State and the officials in charge of the conduct of our foreign relations.

I shall first deal very briefly with the statements of Kerley, who is now employed by one of the Hearst papers in New York. Kerley was merely a stand-in for Huber, McCarthy's man who didn't show.

Despite the fact that Kerley merely stated what Huber supposedly told him, I want to deal with the allegation that he repeated. If he had not disappeared after the conference that I am informed that he had with McCarthy and Kerley, Huber, if he had been obedient, was to testify that I attended a meeting of the Committee for a Democratic Far Eastern Policy in the home of Frederick Vanderbilt Field some time in 1946.

Now, the fact of the matter is that I never joined the Committee for a Democratic Far Eastern Policy. I was invited to become a member, but I declined. I hand the committee a letterhead of this organization which shows its board of directors, consultants, and sponsors. My name, of course, does not appear. I never attended any meetings of this organization. As a matter of fact, I was not, to the best of my recollection, in the house of Frederick Vanderbilt Field at any time during the year of 1946. My attorneys have communicated with Edith Chamberlain Field, who was Frederick Field's wife in 1946. They are now divorced. Mrs. Field states that she is not and never has been a member of the Communist Party, and that she is certain that neither Mrs. Lattimore nor I attended any meetings or any party in the Field house at any time during the year 1946.

So much for that.

Mr. FORTAS. We offer the telegram from Mrs. Field for the record.

Senator TYDING. It will be inserted in the record as exhibit 82.

Dr. LATTIMORE. Now as to Freda Utley.

This witness stated that she had no evidence that I was at any time a member of the Communist Party; she stated that she had no knowledge or information that I was an espionage agent, and said that she thought that Senator McCarthy was wrong on that point. She expressed at considerable length her disagreement with my writings and the positions that I have taken. She stated that my views followed the Communist Party line—or, more exactly, as you will recall, she said that I came near to following the party line.

I shall thereafter discuss the positions that I have taken, and I shall show that I have not followed the party line. As a matter of fact, my position did not come near to following the party line. But, in any event, even if we take as gospel the rambling and discursive comments of Freda Utley and her distorted and false interpretation of my writings, there is nothing that she said or charged which supports the allegations which have been made against me. Indeed, as you heard yesterday, an equally strong case can be made that Utley herself for a time followed the Communist line, long after she says that she ceased to be a Communist, and that she subsequently followed the Nazi line. I do not make these accusations about Freda Utley, but her testimony yesterday before this committee provides dramatic evidence of the effect—justified or not—that can be created by the selection of quotations from the writings of a professional author.

Since Miss Utley's transcript was not available to me in the preparation of this statement, I ask the permission of the committee to file my detailed comments at a later time if I should desire to do so after I read her remarks.

To the extent that any evidence in support of McCarthy's charges has been submitted, then, it is to be found only in the testimony of the witness, Budenz. Despite all of the Senator's flourishes, promises

and threats, he has produced only one witness who has even come within shouting distance of the Senator's own wild charges.

I come now to the testimony of Louis Francis Budenz. I hope that the members of this committee will find time in their crowded schedules to read this testimony. I also hope that the members of the press will read it. Disassociated from the fervor of Budenz's fanaticism—incidentally, he must have been a very zealous Communist—the statements that he made unmistakably lead to two conclusions: First, Budenz did not even pretend to have any factual information about me or my works; second, the screen of lies behind which he disguised his lack of information is very thin, indeed.

On pages 527 and 528 of the transcript, Budenz said: "I have never seen any vestige of Lattimore's Communist Party membership." He never saw me in any meetings; indeed, he never met me.

He nowhere in the record directly accuses me of being a Communist. When he was asked the direct question, he slid off into a general discussion of the different kinds of Communists, but he nowhere states on his own responsibility that I was or am any 1 of the 57 varieties.

He never saw any vestige of my alleged party membership, yet with the matchless skill of a veteran Communist Budenz still tries to give the impression that I was one of his erstwhile conspirators. He says that he knew "of his official knowledge" that I was a member of the Community Party subject to party discipline.

When Budenz says on the one hand that he never saw any vestige of my alleged party membership, and on the other that he knew it "of his official knowledge," I suspect that he is saying, in his conspiratorial gobbledegook, that he knows nothing and recalls nothing, but is dutifully pursuing his profession of paid informer and unscrupulous finger man. I confess that this contradiction is a little bewildering to me, but then I don't have Budenz's 10 years and more of self-confessed training in the arts of lying and distortion.

Now let us examine in more detail the specific statements that Budenz makes.

It is important to make it very clear just what it is of which Budenz accuses me. I am accused of undertaking for the Communist Party the "general direction of organizing the writers and influencing the writers in representing the Chinese Communists as agrarian reformers, or as North Dakota nonpartisan leaguers." (Transcript, p. 491.) In return for this, the Communist high command gave me the most amazing and wonderful gift: I was given special indulgences so that I could support programs which were anathema to the party. I was also accorded the rare privilege of being excoriated in the Daily Worker and other publications of the American Communist group and in the Soviet Union's organs.

I, Owen Lattimore, was allowed to support the Marshall plan; I was permitted to participate in raising funds to aid Finland in its fight against the Soviet Union; I was indulgently allowed to say and write as I did that the spread of direct Russian control over Asia would be disastrous; and I was treated to the exquisite pleasure of being called a "libeler," a servant of Japanese imperialism, a madman, and a lackey of imperialism. All of these rare benefits were extended to me because, according to Budenz, I was busily engaged in the special and delicate job of organizing and influencing the writers to represent the Chinese Communists as agrarian reformers. But

Budenz in his book, *This Is My Story*, directly contradicts this hypothesis. He says on page 284 that a Communist will never be permitted to express one word of reservation or criticism of the Soviet Government, its leaders or their decisions, and that a Communist must always agree that whatever the Soviet Government or its leaders do or say is always a hundred percent right.

I feel reasonably sure that if Molotov or Foster or Jack Stachel did or said one-thousandth part of what I did and said that was objectionable to the party and the Soviet Union, those officials would be expelled from the party or, if in Russia, put in concentration camps, or put to death.

But, according to Budenz, I was such a tremendous big shot—even if I was just a fellow who was organizing writers—that I got all of these special favors, and was excused for a lot of party-line deviations that I shall talk about in a few moments. I submit that this is an absurd fabrication.

But let us examine Budenz's testimony more closely. He alleges, although he seems somewhat tentative about it, that although I received these special dispensations, I was subject to party discipline. This, he said, means that I received and carried out orders.

On pages 526 and 527 of the transcript, Senator Lodge attempted to get Budenz to state "a specific instance when an order or an instruction was given to me and carried out by me."

First, Budenz attempted to reply by saying that the discipline to which I was subjected "were these various assignments and instructions to which I (Budenz) pointed." Budenz said, "That is what discipline means; and also the fact that reports were made as to his (Lattimore's) attitude from time to time"—I don't understand how reports can be considered to be discipline.

In any event, Senator Lodge repeated his question, and Budenz finally said, "Well, the order to represent the Chinese Communists as agrarian reformers was certainly carried out, according to reports coming to me. It was carried out through the mobilization of writers in that field. Yes, it was." (Apparently Budenz was getting a little uncertain here, and he continued as follows:) "But specifically I do not know because I did not hear the detailed report on the matter."

Then Senator Lodge asked, "Is that the most concrete and specific illustration there is?"

Mr. Budenz: "That is the most concrete, yes, sir."

Now, this is so transparent—such a shabby, sordid, and feeble invention that it does no credit to Budenz, the professional informer. According to this preposterous story, the proof that I was subject to Party discipline is that, in absentia, I was given orders to represent the Chinese Communists as agrarian reformers, and (although Budenz does not know this to be a fact) that I did so represent them. The fact is that the whole story is a plain, unvarnished lie.

First, what is the basis of his statement that I was given these orders? Budenz states that at a meeting in 1937 I was commended by Frederick Vanderbilt Field and Earl Browder for placing Communist writers in the magazine *Pacific Affairs*, a publication of the Institute of Pacific Relations of which I was the editor from 1936 to 1941. According to Budenz, "it was agreed" that I should be given general direction of organizing the writers and influencing the writers in representing the Chinese Communists as agrarian reformers.

When Budenz was asked by Senator Tydings whether I was present at the meeting where this occurred, he said, "Oh no, sir, he was not there." (Transcript, p. 492.)

Now you will recall that Mr. Field has denied that he has ever discussed me in the presence of Budenz. But Budenz says Field is a Communist and that his statements must be disregarded unless they agree with Budenz's. Then they become gospel. So let us disregard that. Other unimpeachable evidence shows how nonsensical is Budenz' charge that I organized or influenced writers on behalf of the Communist Party.

In the first place, the magazine Pacific Affairs never had any writers on its staff except its editor. I could not have placed writers on its staff if I had wanted to. In the second place, on pages 504 and 505 of the transcript, Budenz in response to a question by Mr. Morgan admits that he has no documentary evidence of my placing Communists on any publication. He whittles his charge down to an allegation of documentary evidence in the form of names of Communists who published articles in Pacific Affairs; and he whittles that down to a single name—James S. Allen.

Now, the facts that I know about James S. Allen are that in March 1938 he wrote an article in Pacific Affairs on agrarian tendencies in the Philippines. At that time, the international research program of the Institute of Pacific Relations, agreed to by all the national councils, included a study of land, population, and food in all the countries around the Pacific. This particular article was based on statistics of the Philippine Department of Labor. A big landholding company in the Philippines disputed some of Allen's figures and his interpretation of the figures, but even this criticism contained no suggestion that he might be a Communist. I myself had no idea whether he was a Communist.

In June 1938 he published another article in Pacific Affairs called the Philippine Problem Enters a New Phase. This article agreed that America should not abandon the Philippines in the face of Japanese expansion. It mentioned the complicated moves in Philippine politics that were then taking place in the shadow of this expansion, among them Communist and united-front symptoms that were typical of the times, all over Asia, and that would have been noted by any competent reporter.

Remember, too, that on page 513 of the transcript Budenz specifically denies that he is charging that I ever personally stated that the Chinese Communists were agrarian reformers or used any equivalent term. He explains this by saying that I was "in a special and delicate position." From his Communist viewpoint, I certainly was. I was not a Communist and was doing my utmost to advise the American and Chinese people of the danger of communism in China and the methods of preventing its growth. Budenz, however, at that time was a Communist, engaged in advancing the cause of communism by every foul means that entered his mind or that was, in his own lurid account, required of him by his Soviet chiefs. He was, he says, for 10 long years an important personage in a vile conspiracy to overthrow the Government of the United States.

I come now to the second situation upon which Budenz relies in support of his alleged "official knowledge" that I was connected with the Communist movement. This was a Communist Party meeting in

1943 which Budenz says he attended. Again, he does not charge that I was present. Now there is a strange and weird discrepancy in Budenz's testimony about this meeting. In his direct testimony, he says that at this meeting it was—

again officially reported that Mr. Lattimore, through Mr. Field, had received word from the apparatus that there was to be a change of line on Chiang Kai-shek. (Transcript, p. 492.)

Kindly note that I received word of the change of line through Mr. Field, and not vice versa.

The situation had, however, changed markedly in this man Budenz' mind after he had been subjected to some cross-examination. On page 517 of the transcript, he casually changed his story, although with rather obvious misgivings. He said :

Mr. Field reported, as I understand it, that he had seen Mr. Lattimore * * * and that Mr. Lattimore had said that the apparatus had reported that there was a change of attitude toward Chiang Kai-shek; that we were going to be more hostile to Chiang Kai-shek.

Now, both of these stories are lies, at least insofar as they concern me. In 1943 I was an employee of the Office of War Information. I had no connection with the magazine Pacific Affairs. I did not at that time or at any other time receive word or have knowledge of changes in the party line from Mr. Field or anybody else. Budenz's statement is as fantastic as it is malignant. And that is true of both of his statements—that I was the informant of Mr. Field or that Mr. Field informed me.

Indeed, the fact of the matter is that for many years after the change in the party line I was still vigorously supporting Chiang Kai-shek. I shall go into this later in my statement. It will suffice for the moment to say that I have never, in any of my writings, in any speech or in any conversation, criticized the person of Generalissimo Chiang Kai-shek. I was his adviser for about a year and a half. I enjoyed his confidence; I admired him and had for him a great affection. I have never called him, and shall never call him, a Fascist or a dictator as Budenz did in the days of his malignant editing of the Daily Worker.

I have criticized his policies. I have criticized his advisers. In memoranda and discussions with him and in published works, I have urged him to change his course. But I have never and shall never change my view of him as a great man of his time, with all his good qualities and weaknesses. Late in 1943 after the American Communists began their vicious, personal assault on him, I said he was a "world statesman of real genius." In Solution In Asia, published in 1945, I said on page 83, "Chiang never became a dictator or a Fascist."

At about this same time, Chiang was being referred to in the Daily Worker, of which Budenz was managing editor, as a dictator and a member of Shanghai's Green Gang. (Daily Worker, September 12, 1945, September 11, 1945.)

Now, I would like to know, which one of us was carrying out the party line, Budenz or I? And I would also like to know just how Budenz squares the actual, truthful record of my attitude toward Chiang after I was allegedly instructed to attack him, with the terms of the alleged directions to me from the Communist Party. Was this another special exemption? Is Budenz' "proof" that I was subject to the party's order, the fact that I did exactly the opposite?

Now, gentlemen, you can judge for yourselves. Did Budenz in 1948 really hear a report at a meeting that Mr. Field told me or that I told Mr. Field that there was to be a change in the party line with respect to Chiang Kai-shek? Or did Budenz invent this story?

My own view, gentlemen, is that the entire thing is a fabrication, and that Budenz is either a plain old-fashioned liar or he is a pathological liar.

I now come to the third incident upon which Mr. Budenz relies as a basis for his statement that he had official knowledge that I was connected with the Communist machinery. He says that in 1944 Jack Stachel advised Budenz to consider Owen Lattimore as a Communist. Budenz said that this meant to him "to treat as authoritative anything that Lattimore would say or advise, because that was our method of discussing these matters." (Transcript, p. 492.) Now, I have never known Jack Stachel, and when Budenz mentioned him, his name meant nothing to me. I have no way of knowing what, if anything, he said to Budenz.

Mr. Stachel apparently did not say to Budenz that I was one of the brethren, but Budenz claims that Mr. Stachel conveyed to him the idea that Budenz—presumably in his job as managing editor of the Daily Worker—was to consider as authoritative anything that I would say or advise. Budenz does not say that I at any time ever gave him any advice as to Daily Worker policy or otherwise. But if Stachel gave Budenz the alleged instructions to follow my views, Budenz certainly did not obey instructions because in his obsequious editing of the Daily Worker under the orders of his Communist superiors he certainly did not reflect my opinions and attitudes on the Chinese situation.

If Budenz in 1944 had followed Stachel's instructions to treat as authoritative anything that I might say, he and the Daily Worker would have been warned against the spread of communism in China, as I did. They would have been proposing measures to support democratic government in China and to halt the spread of communism there. They would have advocated, as I did, the creation of conditions under which private capitalism might thrive in the Far East. I ask Budenz to produce a single statement in the Daily Worker during the time that he was managing editor which reflected these views of mine.

Of course, he can't. I have already referred to a few examples of the Daily Worker's policy under Budenz' editorship and its contrast with my own position. Many more can be supplied.

It is perfectly clear that Budenz did not receive the alleged instructions from Stachel to treat my statements as authoritative or else he didn't follow them. But he has testified that he was a good and zealous member of this band and that while a Communist he always followed instructions. I believe you will conclude, as I do, that he never received them and has invented the entire business—either maliciously and deliberately or because he is a pathological liar who can conveniently believe in his own fabrications.

I come now to the two remaining statements by Budenz which complete his case. He says that the initials L or XL appeared on onion-skin documents circulated by Communist Party officials; that these initials referred to me; and apparently, that the fact that I was referred to in these onionskin documents indicates that I was one of the

brethren. Unfortunately, these onionskin documents were so secret that they were all put down the drain.

Budenz does not attempt to describe the context in which I was allegedly mentioned. If there were papers of this sort, I wonder if they ever contained references to Mr. J. Edgar Hoover or Congressman Martin Dies, and, if so, whether they had code names.

Actually, my guess is that this is another Budenz invention. You have heard testimony from two other former high Communist officials denying that the Communist Party ever functioned in this fashion, and denying that there were any onionskin communications of the sort described.

The final attempt to implicate me in the conspiracy of which Budenz was a part is his statement that it was reported by Jack Stachel that I had been of assistance to some of the defendants in the Amerasia case. I suppose that Budenz "recalled" this tidbit—I really mean invented it—after he read Senator McCarthy's statement that Mr. Service and Mr. Roth visited my house prior to their arrest in the Amerasia case. That has all been covered, with supporting material, in my original statement. Merely for the record, I want to repeat that I had no connection with the Amerasia case and that this transparent endeavor to smear me by reference to the Amerasia case is merely another manifestation of the sordid minds that are operating in this underworld of accusation and innuendo.

Now I have covered every single, specific event or incident that Budenz has narrated. They are pure moonshine, or rather impure hogwash. They are the product of a twisted and malignant personality.

But apart from the falsity of his specific charges which I have discussed, in my opinion no honest man would put credence in the accusations that Budenz has made against me, in view of the following facts:

1. Since he left the Communist Party in 1945, Budenz has testified before about a dozen governmental agencies and courts. He has accused many persons, truthfully or falsely—I do not know. At no time in all these years did he even mention me.

2. He has spent many hours with agents of the Federal Bureau of Investigation, informing them of the Communist Party, its members and instruments. At no time did he mention me. On page 1116 of the transcript he says that he did not mention me to the FBI until well after these proceedings began—certainly not before last month. He plaintively but unconvincingly says that he did not have time to denounce me. But if I am or was a dangerous or sinister character, I suggest that he should not have neglected me. He should at least have added me to his list. At the very least, he could have said that he believed that Owen Lattimore was a Communist or required investigation. This would have taken about 30 seconds of his time.

I say to you that his story and absurd explanation concerning his belated accusation is an insult to the intelligence. The plain fact of the matter, it seems to me, is that Budenz is engaged in a transparent fraud. Whenever anybody is conspicuously accused of Communist affiliations, Budenz hops on the bandwagon and repeats the charges, garnished with more or less impressive references to Jack Stachel and other Communist characters. And I suspect that the reason

why he uses; as his silent witnesses, officials of the Communist Party is that he believes that they will refuse to testify in rebuttal. But he guards himself even against this contingency by saying that if they do testify contrary to his own statements, they cannot be believed. This I respectfully submit is about as ingenious a boobytrap as has ever been devised.

3. Budenz, you will recall, wrote an article for Colliers magazine published in March 1949, concerning the Chinese situation. Even in his original manuscript he merely stated that I was an adherent of the Chinese agrarian reformer theory—which is not true. Although he denounced various other people, this is as far as he went with respect to me. But thereafter, in a conference with the associate editor of the magazine, he voluntarily struck even this mild reference. He also stated that he was not saying that I acted as a Communist agent in any way. Remember, this was little more than a year ago, and remember, that this article was aimed squarely at the importance of China and an alleged Communist influence on our China policy. Because of the importance of this incident, I quote from the transcript of this interview as it appears on pages 512 and 513 of the record, the questions being asked by the associate editor of Colliers and the answers being by Budenz.

Question. You have done one thing here that I think is not good. By inference you implied that Joe Barnes and Lattimore are not Communists exactly but are fellow travelers * * *.

Answer (by Budenz). I think probably what we ought to do is to leave out those names entirely. Perhaps we can rephrase it some way. I said it merely to show that they would add meat to what I was saying.

Budenz seems to hanker after a high-protein diet.

Question. You're not saying that they acted as Communist agents in any way?

Answer (by Budenz). No.

Question. That ought to be quite clear.

Answer. Oh, yes.

Now, the clear and simple explanation of this incident is that at the time of this conference, just 1 year ago, it had not occurred even to this professional denouncer and informer Budenz that there was any basis whatsoever for accusing me of being a fellow traveler or a Communist agent. Budenz didn't like what I wrote about China—although you will note that even 1 year later, at the hearings before this committee, he said he hadn't read anything that I wrote but had only recently turned the pages of one of my books.

It is plain that it was not until much later, and I judge not until after Senator McCarthy made his scandalous charges under the cloak of senatorial immunity, that Budenz attempted to slander me with his strange and weird tales about the onionskins and the party meetings.

Budenz' statement that he was afraid of libel suits is, of course, silly. If that was his problem why didn't he simply say to the associate editor of Collier's, "I will eliminate even the references that I have in my manuscript to Lattimore because I am afraid of libel action." I believe that Collier's is also sensitive to libel actions. There was certainly no reason if it wasn't true for Budenz to say flatly that he did not charge that I acted as a Communist agent.

The other explanation that this incredible person gives is that the questions and attitude of the associate editor of Collier's were "pecu-

iar." His effort, obviously, was a characteristic one of attempting by innuendo to smear another person. I prefer not to guess just what Budenz was trying to imply concerning the Colliers editor's motives. It is sufficient to let the facts of the interview speak for themselves: That Budenz did not 1 year ago charge that I was either a fellow traveler or a Communist agent.

4. You will also recall that Budenz now has in the hands of the publishers a book which has an extensive discussion about China and the Far East. In this book he does his customary smearing job on a great many people including Ambassador Jessup and David Lawrence. But here again, he did not mention me. It was only after the manuscript was in the hands of the publishers that he inserted a single reference to me, and that was completely innocuous. I submit that if Budenz at the time that he wrote this book, which was presumably just a few months ago, thought that I was in fact a Soviet operative or a Communist agent or even a fellow traveler, I would have received at least honorable mention in this book. But I was not worthy of it. The simple and inescapable fact must be that Budenz did not know or think of me as a Communist agent or even a fellow traveler; that he concocted this entire spider's web of lies only after he heard the call to colors, sounded by McCarthy or Budenz' old friend, Kohlberg, or some of the others of that crew.

Gentlemen, I suggest that there can be no doubt of this. Budenz' fantastic stories about me are not only an invention; they are a recent invention. During the 4 or 5 years since he left the Communist Party, which he has principally occupied in the disgusting sport of being an informer, he never on any occasion accused or denounced me as a fellow traveler, a Communist Party member, a person subject to Communist discipline, or a Soviet agent. His first accusation was made just a few weeks ago. Prior to this he didn't mention me to the FBI; he never mentioned me in any of his testimony before innumerable committees of the House and Senate, in his appearances before Government agencies ranging from Hawaii to New York, or in his spectacular performances before grand juries or courts.

This kind of skullduggery would be bad enough if it involved only one man and one crisis. But now this person has the consummate effrontery to say that he is preparing lists of hundreds of persons from the radio, press, Hollywood, Government, and other walks of life; and that he will denounce these people, presumably with the same kind of despicable charges that he has made against me. Why hasn't this professional informer named the persons that he accuses long before this time?

I cannot believe that the American Government or the American people will permit this man to convert his triving retail business into a wholesale enterprise and to continue to abuse the processes and immunities of committees of Congress. He should be forced to turn over the names, spurious or otherwise, of his victims to the FBI where they may be held in confidence and subjected to the orderly and thorough processes of that agency.

We cannot allow this man to run wild any longer.

In evaluating Budenz' testimony, I also ask you to take into account a time-honored test of credibility. I ask you to consider the personal history and character of this man.

For 10 long years he was a member of what he describes as a revolting conspiracy to overthrow the Government of the United States. For 10 long years, he received and faithfully carried out, he says, orders from a foreign government, the Soviet Union. For 10 long years, he was an active and knowing participant in an organization which, as he describes it, engaged in every foul device of intimidation and dishonesty, including personal blackmail and espionage.

As he describes his role, he was neither a dupe nor a visionary. He knew exactly what he was doing. As a staff member of party publications and then as managing editor of the Daily Worker, he fabricated and published conscious and deliberate lies.

You can read all of this in his book, This is My Story. Only a few months after he joined the Communist Party, he became convinced, he writes, that the American Communist Party was under the immediate, personal control of a Russian state agent. He says, "My American conscience revolted at the idea" (p. 136). Nevertheless, for more than 9 years thereafter, he remained a loyal and effective party official.

He has testified under oath that in 1948 on instructions of a Soviet representative he "established connections which involved espionage on American military agents." And prior to that little service, according to his sworn testimony, he worked for 3 years with the Soviet Secret Police in connection with an act that he himself states is a crime under United States' law: Namely, the assassination of Leon Trotsky. (Transcript, In the Matter of Reinecke, August 6, 1948, p. 81.) I have a certified copy of the manuscript here for your examination if you care to see it.

Now, gentlemen, I don't know whether Budenz actually engaged in these criminal activities or not. There are discrepancies between his sworn testimony and his writings, and a careful student of this amazing personality is never sure that he is reading fact or fiction. I think you are entitled, however, to rely upon his sworn testimony that as recently as 7 years ago he was engaged in the criminal conspiracies against the United States of military espionage and murder.

The history of this man's participation in questionable ventures did not begin—as it certainly did not end—with his party membership. Before he joined the party in 1935, he was a radical, left-wing agitator. He has been arrested 21 times, tried and acquitted 21 times. I assume that he was not guilty, but he was most certainly remarkably active.

If you are not yet convinced of this man's unsavory character, I suggest that you read his sworn testimony on cross-examination contained in the official transcript of the deportation proceedings, entitled: In the Matter of Desideriu Hammer, alias John Santo, Respondent in Deportation Proceedings, file No. A-8002664.

I do not wish to discuss the matters contained in this transcript, but I hand a copy to the subcommittee.

Senator TYDINGS. It will be put in the record as exhibit 83.

Dr. LATTIMORE. I suggest that the committee should not, in advance of examining this transcript, make it part of the public record.

Senator TYDINGS. It will be kept sealed and noted in the record as an exhibit but not spread in the testimony until the committee can look into it.

Dr. LATTIMORE. Beginning at page 143 of the transcript, which is page 36 of the typewritten copy, Budenz admits that even before he joined the Communist Party, he engaged in certain personal activi-

ties which, to say the least, are offensive to accepted standards of decent and conventional behavior. Beginning on page 170 of the transcript, which is page 50 of the typewritten copy, Budenz refuses to respond to a series of questions relating to his personal behavior, on the grounds that his answers might incriminate him. These questions, gentlemen, relate to two different alleged relationships; and they all concern Budenz' activities before he became a member of the Communist Party.

So much for that. This man, however, would have us believe that after he left the party in 1945, he became a thoroughly different character; that he became a paragon of virtue and a peerless exponent of the truth. Gentlemen, I certainly do not wish to be misunderstood as expressing disbelief in the possibility of miraculous reformation. But in the case of this man Budenz a bit of caution is indicated. He was not a young idealist when he entered the Communist Party. He was a man of 44 years, hardened by years of violent, radical agitation. He was 54 years old when he left the party, thoroughly indoctrinated in the devious and implacable techniques that he so vividly describes. His character, one may reasonably assume, was fully formed and hardened.

Since that time, he has been engaged in commercial exploitation of his own sordid past, methods which, in my opinion, are a menace to our society. I respectfully draw your attention, Senators, to the fact that when a man like Budenz becomes a renegade from a secret party or conspiracy such as he has himself described the American Communist Party to be, he automatically drops an iron curtain behind himself. From that moment on, he has no new sources of information. His sources are all in the past.

Now consider the kind of career that Budenz has been following for 5 years. He has made himself a sensational author and lecturer by exploiting his own past. But the past is the past, and he must be haunted by the fact that his tales of skullduggery and conspiracy may grow stale through sheer repetition. Already there have been new sensational revelations by Government agents who have successfully infiltrated the Communist Party, and who have appeared at trials to give their testimony.

The pressure on Budenz is obvious. When a new sensation breaks out in the press and a man is accused—even if the accusation is false—what is the temptation that is dangled before Budenz' eyes? It is the easiest thing in the world for his own memory to be convenient and obliging. He can then rush up and say "I remember him too"—and thus revive his reputation as the peerless informant.

Whether there are other pressures and inducements operating upon Budenz, I do not know. This alone would be adequate for a man whose character is so plainly exhibited in his life and works. His basic representation, I submit, is completely incredible. That is, that while managing editor of the Daily Worker, he was given from time to time a list of a thousand names, and that he draws upon a prodigious memory now, 5 years later, and for the first time produces my name and a great deal of circumstantial detail.

I have already pointed out that his story is, on its fact, at variance with the facts of record about me. You have heard other witnesses contradict him on specific and general parts of his statement. You

have yourself developed the fact, which I have summarized, that Budenz never accused me, privately or publicly in all of these years until after my name was sensationaly besmirched by McCarthy.

I now wish to add two other bits of evidence to show that Budenz' testimony is not entitled to credit:

First, Budenz says that he received his list of names as managing editor of the Daily Worker. I offer for your record an affidavit of James S. Glaser, obtained by my attorneys. I should like to read the text of that affidavit into the record.

Mr. FORTAS. Mr. Chairman, may I read that and give Mr. Lattimore a little rest?

Senator TYDINGS. You may.

Mr. FORTAS (reading):

**UNITED STATES OF AMERICA,
District of Columbia, ss:**

James S. Glaser, being first duly sworn, deposes and says:

I am presently engaged in newspaper work in New York City. I am not a Communist Party member and have no relationship with the Communist Party. I was a member of the party until I left it in 1936. From July 1934 to July 1936 I was managing editor of the Daily Worker. For many months during that period Louis F. Budenz served under me and received all instructions from me.

During the period July 1934 to July 1936 I was also an ex officio member of the Politburo, top body of the Communist Party in this country.

As the managing editor it was my task to see that the policies of the Communist Party were carried out in the news pages and the editorial section of the paper.

At no time during my tenure was I given names or lists of names by anyone to bear in mind for purposes outside of the regular routine of getting out the paper.

Giving instructions to party members, except for newspaper activity, was the work of other functionaries and at no time a duty of the managing editor.

Finally, as I remember, the staff members of the newspaper, including the managing editor, were never required to keep or retain in memory any list or lists of names.

JAMES S. GLASER.

Subscribed and sworn to before me this 25th day of April, 1950.

MARGUERITE E. O'BRIEN,
Notary Public, District of Columbia.

My commission expires April 14, 1951.

We offer this document for the record.

Senator HICKENLOOPER. Mr. Chairman, I have no objection to the offering of this document and the inclusion of it in the record; it has been read into the record. I call attention to the fact that the alleged affiant is not here for cross-examination or any investigation of the declarations that he has made in his affidavit and that, from an evidentiary standpoint, he is the best witness on the witness stand of what he knows and what the circumstances are.

Senator TYDINGS. I think that observation is a reasonable one, and it will be filed and will be considered in the light of what has been said here, for whatever it is worth, one way or the other.

Mr. FORTAS. I shall be glad to give the committee the address of this gentleman, if it cares to call him.

Senator TYDINGS. All right.

Senator HICKENLOOPER. I think his address might well be put into the record.

Senator TYDINGS. Put it in the record.

Mr. FORTAS. I don't have it with me, but I have it at the office.
Senator TYDINGS. Supply it for the record.

Mr. FORTAS. I shall do that.

Dr. LATTIMORE. Second, it is my understanding that Whitaker Chambers is reputed to have been key Communist Party link with the State Department. Presumably, if the charges of Budenz and McCarthy have any basis in fact, Chambers would at least have known of me. But I quote from Chambers' sworn testimony before the House Un-American Activities Committee on August 3, 1948, page 575:

Question by Mr. Stripling (investigator for the committee):

Do you know an individual named Owen Lattimore?

Answer (Mr. Chambers). No, I don't.

Now, gentlemen, I know that against this overwhelming evidence of this man Budenz' complete unreliability, is the fact that he has been used by the Department of Justice as a witness in various cases involving Communists. I call your attention, however, to several considerations in this respect. First, I am informed that the Department has never used Budenz as a witness in any case except against open and known Communist Party members and on the theory, objectives and operations of the Communist Party.

Second, I am sure that the Federal Bureau of Investigation has used him, and anybody else it could find as a source of leads, good or bad, for further investigation.

Third, I am informed that the Department does not vouch for the general character or credibility of its witnesses. At the most it impliedly represents that it believes that they are qualified to testify on the matters as to which they are questioned. For example, in appropriate cases, it calls as Government witnesses, narcotics peddlers, gangsters, racketeers, confessed murderers, and thugs.

Gentlemen, I trust that this analysis has thoroughly disposed of the Budenz charges, and also of the scurrilous attacks upon me by Senator McCarthy. But I hope that you will understand that I want to prove, once and for all time, that I am and have always been an objective scholar and writer, devoted only to pursuit of the truth and subject to no influence or discipline whatever.

It is for this reason that I turn now to the charge that the magazine Pacific Affairs, which I edited from 1934 to 1941, was a medium for pro-Communist propaganda.

This charge, gentlemen, is obviously traceable to the same polluted source, Kohlberg's China lobby, which has attempted to smear me through McCarthy and now through Budenz. The mouthpiece changes, but the tune stays the same. As you yourself have seen, Mr. Chairman, from the document supplied to you by the Institute of Pacific Relations,¹ these charges are the same as those previously made by Kohlberg against the IPR in a vindictive but unsuccessful attempt to discredit and take control of that organization in 1944 and 1945. On pages 22 to 29 of that document you will have seen a detailed examination of the articles alleged to have reflected or paralleled the Communist Party line in those years. That analysis, which was reviewed and endorsed by a group of eminent American scholars and business leaders, shows conclusively the falsity of the charges. It

¹ An Analysis of Mr. Alfred Kohlberg's Charges Against the Institute of Pacific Relations. American IPR New York, September 1948 (mimeographed).

shows also the same unscrupulous tricks of quoting passages out of context that McCarthy has already used so flagrantly against me.

I would like to emphasize that this analysis was not made by me, now, but was made 5 years ago by officers and trustees of the American IPR. They included Mr. Arthur H. Dean, a partner of Mr. John Foster Dulles in Sullivan & Cromwell; Mr. William R. Herod, president of the International General Electric Co.; Mr. Huntington Gilchrist, of the American Cyanamid Co.; Prof. Joseph P. Chamberlain of Columbia University; Prof. Philip C. Jessup, also of Columbia University; Mr. Walter Dillingham, a business leader in Hawaii.

Pacific Affairs, gentlemen, is the quarterly journal published by the international secretariat of the Instituto of Pacific Relations. Since it is an international journal, it has always tried to present a variety of authors of different nationality and different points of view. Believing as I do in freedom of expression, I never chose authors on the basis of their political views or affiliations but solely on the basis of their professional competence. The many articles which arrived unsolicited were considered on the basis of their content, often with advice or comments from my colleagues or qualified outside experts.

I make no apology for the fact that under my editorship the magazine carried a few contributions by writers who were then or subsequently regarded as leftist. A writer like Anna Louise Strong, for example, who wrote an article in the June 1941 issue, was able to present important, first-hand impressions of the Chinese Communist areas when few other outsiders had ever seen them. Her books, and others by writers like her, have been published by reputable publishing houses for years and widely reviewed and discussed. Mrs. Strong has since then been expelled from the Soviet Union; I have always believed that it was one of the strengths of our American system that we do not—in spite of Senator McCarthy—operate that way in the United States.

Pacific Affairs never promoted either Chinese or Russian communism. It never called Chinese Communists agrarian reformers. Only one article in the history of the magazine ever used a phrase even resembling this—"agrarian democracy" was the phrase in question. And an introductory note to this article, which was a translation from the Chinese, made it clear to the reader that the material represented a Chinese Communist point of view.

F. V. Field had two articles in Pacific Affairs during my editorship; neither of them was Communist in character. In one article, published in 1936, he mentioned Soviet progress in Siberia, but this did not look like propaganda at the time when similar and more extravagant comment was appearing in the most reputable, commercial American magazines. Moreover, at that time I had seen no evidence attributing either Communist beliefs or support to Field. I am now told that he was then an active supporter and financial backer of Norman Thomas.

May I remind you that throughout this period there was nothing reprehensible or even unusual about the occasional publication of significant left-wing views or the analysis of left-wing movements in far-eastern countries! Such views and analyses appeared in all the leading journals of the United States and the whole western world. In those days, before Kohlberg, McCarthy, and Budenz under-

took to revise the American tradition of free inquiry and free speech, nobody dreamed of accusing an editor or publisher of being a Russian spy because such views were printed.

Budenz has publicly mentioned the names of only two alleged Communists who wrote for Pacific Affairs under my editorship, James S. Allen and Frederick V. Field. These men wrote articles which were published 12 and 18 years ago. At the time that I accepted their articles, however, I had no reason whatever to believe either of them to be a Communist.

In addition, Senator McCarthy has insinuated that four people who wrote for Pacific Affairs are spreaders of the Communist line—T. A. Bisson, Haldore Hanson, Nym Wales, and Edgar Snow. At the time they wrote for me I had no reason whatever to believe any of these four was a Communist, and I have no evidence that any of them is a Communist now. These six people published a total of 9 articles in Pacific Affairs between 1934 and June 1941, or less than 2½ percent of the total of 250 articles published. But Pacific Affairs was not the only well-established and reputable periodical to which they contributed, nor the one to which they contributed most frequently. In the same period they, these six people, published 156 articles in other reputable, non-Communist periodicals, including Annals of the American Academy, Asia, China Weekly Review, Christian Century Current History, Foreign Affairs, Foreign Policy Reports, Fortune of the Nation, Reader's Digest, Review of Reviews, the Saturday Evening Post, and Travel.

The press reports that Budenz in executive session gave the committee names of others who, he charged, were Communists or pro-Communists and who wrote for Pacific Affairs during my editorship. I do not know who these persons are, but I submit for the record a list of all contributors to the magazine.

That is, for the magazine during the period of my editorship.

Senator TYDINGS. It may be filed as exhibit 84.

Dr. LATTIMORE. And in the same period we published at least 94 contributions out of the 250 that were definitely to the right of center. Among our right-wing or anti-Russian contributors were Sir Charles Bell, British authority on Tibet and Mongolia; L. E. Hubbard, a Bank of England economist specializing on Russia; Prof. Robert J. Kerner, of the University of California; Nicholas Roosevelt; Elizabeth Boody Schumpeter, who was against a tough policy toward Japan; Arnold J. Toynbee; F. W. Eggleston, later Australian Minister to China; G. E. Hubbard, right-wing British authority on China; William Henry Chamberlin, and a strong representation of Kuomintang writers.

I expect that during the same period, hardly any serious and objective magazine devoted to analysis of political problems could show a fairer or more representative sample of current thinking.

This, then, is the record of Pacific Affairs, while I was its editor. If I had really accepted the humiliating assignment of causing that publication to reflect the views of the Communist Party or of any other group or faction, I was certainly a dismal failure. Clearly, the party comrades should not have taken it lying down.

But there is another test, and probably a more persuasive one. That is the test of my own writings. These show, beyond doubt, that I followed no line but that of my own intelligence. The detailed proof is

too voluminous to recount, but I hope you will bear with me while I recite a few highlights.

In his charges from the Senate floor Senator McCarthy, that profound political scientist, said that the Communist line from 1935 to 1939 was pro-Chiang Kai-shek. But during that same time, I was critical of the Nationalist Government whenever and wherever I thought they were wrong.

In 1935 and 1936 I wrote a number of articles on Mongol affairs that were critical of the Chinese policy under Chiang Kai-shek. In the August issue of Tien Hsia, a Chinese magazine, I wrote that the Chinese ought to have a Mongol policy that would convince the Mongols that "association with China can be made more advantageous for the Mongols themselves than association with either Japan or the Soviet Union." This and other articles caused the Russians to accuse me of favoring Japanese imperialism.

In 1936, in Moscow, I disagreed with the Russian experts on the whole question of Mongolia. In Pacific Affairs, June 1937, I criticized two Russian articles on politics in Inner Mongolia, one of them by Voitinsky, a top Russian writer on the Far East. Voitinsky called Te Wang, the Inner Mongolian nationalist, a "reactionary." I praised Te Wang, a close friend of mine, for attempting "a democratic coalition of Mongol nationalists."

The Russians thought well of a Kuomintang general named Fu Tso-yi. I criticized him severely. Ten years later this general whom the Russians praised made a deal with the Chinese Communists; while my friend, Te Wang, is listed by the Chinese Communists as a war criminal.

In these years the Communists, of course, hoped that the Japanese assault upon China would strengthen the Chinese Communists. I, on the other hand, kept demanding a tougher American policy toward Japan and kept warning people that unchecked Japanese aggression was building up Communism. In Amerasia, December 1939, I wrote:

Backing Japan today * * * can only mean Bolshevism in Asia.

From 1939, after the Hitler-Stalin pact, according to Senator McCarthy, the Communists turned anti-Chiang until after Hitler invaded Russia in June 1941.

In 1939 I published very little, because I was finishing a book called Inner Asian Frontiers of China—a book that was later translated into Chinese in Chungking, but has never been translated in any Communist country that I ever heard of. In the winter of 1939-40, after Russia's invasion of Finland, I was a member of the local Baltimore committee for aid to Finland.

In 1940, the Communists wanted American policy to parallel that of Russia. I wrote, in Amerasia, August 1940, that we would not get anywhere—

by trying to decide whether we should have a policy "parallel" with Britain or "parallel" with Russia. What America must decide is whether to back a Japan that is bound to lose, or a China that is bound to win.

On September 30, 1940, I wrote in a personal letter to Admiral Harry E. Yarnell—

Senator TYDINGS. You might identify Admiral Yarnell. As I recall, he was then in charge of the Asiatic Squadron of the United States Navy—or was he?

Dr. LATTIMORE. I first got to know Admiral Yarnell, Senator, when he was in a Navy post in Hawaii. After that he was Commander of the China Squadron. We knew each other for a good many years and whenever we met we exchanged opinions. At the time that I wrote this letter he had recently retired from active service.

Senator TYDINGS. All right.

Senator McMAHON. Is he alive?

Dr. LATTIMORE. I am not sure, sir.

Senator TYDINGS. I think he is. I am not sure. I am pretty certain he is.

Dr. LATTIMORE (reading):

I do not think it is practical politics to negotiate with the Russians about their ideas and our ideas of the future of the Far East. There is too little in common between the two nations on such elementary things as the meaning of words.

This, let me point out, was a long time before other people began to refer to the difference in the meaning of words between us and the Russians.

In the spring issue of Virginia Quarterly Review, 1940, I urged that American policy should give the government of Chiang Kai-shek the kind of support that—

would give the Chinese Regular Army and the Kuomintang the degree of help they need to maintain their ascendancy under Chiang Kai-shek—

and

guarantee that the Chinese Communists remain in a secondary position, because it would strengthen those Chinese who are opposed to Communism.

In June 1941, just before the German attack on Russia, when Communist hostility to Britain was most violent, I praised the British for their recovery after Dunkirk, and "a morale * * * which enabled the people to face courageously a still dark future."

The next significant date is the year 1943, when Senator McCarthy specifically accuses me of following a switch in the Communist line, attacking Chiang Kai-shek. The truth is once more the exact opposite. In that very year I published America and Asia, in which I referred to Chiang Kai-shek as "a world statesman of real genius," adding that "throughout an already long political career he has grown steadily greater and greater."

It was also in 1943 that my wife and I wrote the Making of Modern China, in which we summarized Kuomintang history in a way that did not please the Communists.

This book was republished in 1947, under the title China, A Short History. In spite of this opportunity to change our minds and tag along after the Communists, my wife and I included the same comments.

Russian reviewers of the book were scathing. One called Chiang Kai-shek and his followers "a clique of traitors," and abused us on account of our sympathy toward them. This reviewer called me personally a "libeller of the Chinese Communist Party." Another accused us of trying "to prove that the Kuomintang regime is a preparatory stage preparing the future development of democracy, and that its dictatorship thereby differs from a Fascist dictatorship."

There is one more test, on China policy.

Senator TYDINGS. Doctor, I will say, while you pause there, for the information of the committee, it appears that you may finish this statement at our morning session.

Dr. LATTIMORE. Yes, sir.

Senator TYDINGS. I will therefore ask you if you want to come back at 2:30 for cross-examination; and, if we finish the cross-examination, we have already scheduled an executive meeting this afternoon.

I say that for the information of the press and also for the committee members.

Go ahead, sir.

Dr. LATTIMORE. The Communists attacked General Marshall's mission in China just as Kohlberg and McCarthy are now doing. The Communists accused him of double-dealing. In April 1948, while General Marshall was still in China, I wrote in a syndicated newspaper article, "His policy can be unreservedly described as in the American interest as well as in the Chinese interest." Over Town Meeting of the Air, on the first anniversary of General Marshall's famous report on China, January 6, 1948, I broadcast the opinion that General Marshall's mission was his "first brilliant success as a diplomat."

Senator TYDINGS. For those that would like to leave the room, we will take a minute's recess. If you want to leave the room, please do so now. If you wish to leave the room, please move rapidly. The committee desires to go ahead with the testimony.

All right, Doctor, go ahead.

Dr. LATTIMORE. Over Town Meeting of the Air, on the first anniversary of General Marshall's famous report on China, January 6, 1948, I broadcast the opinion that General Marshall's mission was his "first brilliant success as a diplomat." An American Marxist publication, Science and Society, criticized my wife and me for "giving General Marshall's famous and ill-fated mission a marshmallow treatment."

The truth is, gentlemen, that the Communist line has zigzagged all over the map, while I have held what I believe to be a steady course of my own, changing emphasis and direction only as the facts and situations altered.

In some of its twists and turns, the Communist line at times coincided with the course I was following, just as for a time it coincided with the program of the American and British Governments in the war against Hitler. This does nothing to prove that the American and British Governments, or I as an individual, were Communists. It proves only that at times the Communists, for their own reasons, followed the same course that we did.

There is one additional point that I want to stress. I should like to make it clear beyond any doubt that I did believe for a long time—longer than the facts justified, I am afraid—in the ability of Chiang Kai-shek to stop the advance of communism by instituting a few, necessary reforms. I clung to my faith in Chiang's ability to free himself and to revitalize the Nationalist Party until 1946, when I began to support General Marshall's policy of salvaging as much as could be salvaged of the Nationalist Party and the generalissimo's personal position. General Marshall recognized the futility of this hope before I did; and finally, in 1947, I followed General Marshall in accepting the fact that the Kuomintang was beyond salvage.

Perhaps, with my long years of specialized study, I should have been ahead of General Marshall in seeing the shape of things to come. Perhaps I should have foreseen that the corruption and decay of the Nationalist Party were so far advanced by 1946 that it was useless to write and hope for its salvation. I can explain this lack of foresight only because I had not spent any substantial time in China since 1944; and because, not being consulted by the State Department, I had no access to the intelligence on which the Department was basing its policy.

But, certainly, my error was in exactly the opposite direction from the Communist position. As you know, during this period the Communists were howling for Chiang's blood. I, however, was striving in every way that I could to advocate support for him as long as there was the faintest hope that his failing touch on the political pulse of China would enable him to build a political following.

I have already briefly traced the history of my position. Let me now quickly comment upon some aspects of my relations with the Generalissimo which are not covered by my published writings.

China was invaded by Japan in 1937. During that war I supported the generalissimo's efforts to hold together the coalition with the Chinese Communists in the war against Japan. I also agreed with him that the great problem with the Communists was their alien loyalty. I urged him to solve this problem by drawing over to his side a wider coalition than the Communists could assemble.

In July 1941, as I have testified, I became the Generalissimo's political adviser. He suggested to President Roosevelt the idea of a British-Soviet-Chinese alliance, to improve China's position during the war and safeguard China's interests after the war. He asked me to draft a memorandum on the possibility of recovering Chinese sovereignty over Outer Mongolia. To make this point quite clear, I should add that even in 1941 most people believed that Outer Mongolia had passed permanently under Russian control; but I, as can be documented from my books, still believed that it was possible to bring Outer Mongolia back into union with China.

In my memorandum to the Generalissimo, I included a recommendation to take care of the danger that, after detaching Outer Mongolia from its Russian connection, the Chinese Communists might make a bid for influence among the Mongols. The passage reads as follows:

It is recommended that China immediately adopt political methods that will decrease the present Communist influence in Outer Mongolia, and prevent the Chinese Communists from replacing the Russians as a source of Communist ideas and influence in Outer Mongolia.

Senator McMAHON. Are you going to give us the whole thing?

Dr. LATTIMORE. If you wish it, Senator; I can submit the entire memo. I would personally prefer not to do so, because this is something that can be regarded as part of the state papers of another country. I have never yet published any of them in full. I do intend to turn over all such documents eventually to the Roosevelt Library. But they are not documents of this Government.

Senator McMAHON. I think, Dr. Lattimore, that you should submit the whole document. And the committee will have in mind, I should think, Mr. Chairman, what the witness says about it and the necessity for treating it with discretion.

Senator TYDINGS. The chairman makes the request that the document be handed to the Chair. Its contents will not be disclosed, if you let us have it, beyond the committee members, and it will be returned to you. You might keep it so it won't get mixed up with the exhibits and hand it to me personally afterward.

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. Do I understand correctly, Dr. Lattimore, that you were at that time adviser to Chiang Kai-shek?

Dr. LATTIMORE. That is correct.

Senator HICKENLOOPER. You were adviser to Chiang Kai-shek as the result of appointment of Mr. Roosevelt, President of the United States?

Dr. LATTIMORE. No, sir. Chiang Kai-shek asked President Roosevelt to recommend someone to act as his adviser.

Senator HICKENLOOPER. And it was in pursuance of that request that—

Dr. LATTIMORE. Following that request, my name was submitted—

Senator HICKENLOOPER. By the President?

Dr. LATTIMORE. By the President.

Senator HICKENLOOPER. Did you receive any compensation or expenses, or any other pay or reward from the American Government, during that period of time, at all?

Dr. LATTIMORE. No, sir; none whatever.

Senator HICKENLOOPER. You were paid entirely by the Chinese Government?

Dr. LATTIMORE. Paid entirely by the Chinese Government.

Senator HICKENLOOPER. I merely wanted to determine if you were, as a matter of fact, responsible to this Government in connection with this matter.

Dr. LATTIMORE. No; I was not responsible to this Government in any way.

Senator TYDINGS. We will treat the paper as a private paper and will not broadcast it.

Senator McMAHON. I might say that I am so interested in this exhibit that I think it is very important, Mr. Chairman, that we do examine the whole thing, and that is the basis of my request for it.

Senator TYDINGS. All right, Senator. I am pretty sure we will get the paper, and keep it in private, and the committee will have access to it.

Go ahead, Doctor.

Dr. LATTIMORE. But let me move on to 1943 when, according to McCarthy, the Communists and I had turned against Chiang Kai-shek. I was then an official of the Office of War Information. That was the year I published America and Asia, which I have already mentioned, in which I called Chiang Kai-shek "a world statesman of real genius."

At the very end of this year 1943—I had resigned as Chiang's adviser at the end of 1942—I was notified by Mr. K'ung Ling-kai, the nephew of Madame Chiang Kai-shek, that the Generalissimo and Madame would like to make me a present of \$5,000. I ask permission now to file the correspondence for the record.

Senator TYDINGS. You may insert it in the record at this point.

DECEMBER 28, 1948.

Mr. OWEN LATTIMORE,
Office of War Information, San Francisco, Calif.

DEAR MR. LATTIMORE: I have just received a message from Chungking asking me to send to you the sum of \$5,000 from the Generalissimo and Madame, and therefore write to inquire in what form would you wish me to send the funds to you.

With best regards,
 Yours sincerely,

(Signed) K'UNG LING-KAI.
 (Typed) L. K. K'UNG.

JANUARY 17, 1944.

Mr. LING-KAI K'UNG
32 Bates Street, Cambridge, Mass.

DEAR MR. K'UNG: Your letter of December 28th has just been forwarded to me from San Francisco. I am very much touched by the thoughtfulness of the Generalissimo and Madame Chiang, and I hope you will convey to them my appreciation and gratitude.

However, I find that it is impossible for me to accept this generosity, for the reason that since returning from China I have been working not only in a Government office but an office which is directly under the jurisdiction of the executive branch, and, therefore, of the President. This makes it imperative that in my personal relationship with the Generalissimo there should be no suggestion of benefits received. I am also going to send a personal letter of thanks to the Generalissimo.

With cordial good wishes for the new year.
 Yours very sincerely,

OWEN LATTIMORE,
Director of Pacific Operations.

JANUARY 17, 1944.

Mr. OWEN LATTIMORE,
Director, Office of War Information,
San Francisco, Calif.

DEAR MR. LATTIMORE: On December 28, 1948, I wrote you a letter informing you of a remittance of \$5,000 from the Generalissimo and Madame and inquiring in what form you would wish me to send the funds to you.

I trust the letter has duly reached you and hope to receive a reply at your early convenience.

With best regards,
 Yours sincerely,

K'UNG LING-KAI.

JANUARY 17, 1944.

Via diplomatic air pouch.
His Excellency Generalissimo CHIANG KAI-SHEK,
Chungking, China.

DEAR GENERALISSIMO: Yesterday I was very much moved by the receipt of a New Year message in the form of a gift from you and Madame Chiang, through Mr. K'ung Ling-kai. (Mr. K'ung's letter was a little late in reaching me, because it had been sent to San Francisco, and had to be returned to me here in Washington.)

That you and Madame Chiang should remember me in this way affects me profoundly. Your thoughtfulness confirms my own feeling that though I have returned to America and am no longer in your service in an official or formal sense, yet a lasting association has been established through my period of service in China. It recalls to me the cordial way in which you urged me, when I left China, not to regard myself as having resigned, but as being on leave, or even on a kind of lend-lease to the President's service. The possibility that I might some day be able to return to your service and the service of China is a hope that I warmly cherish.

However, on carefully considering all the circumstances, I have decided to ask Mr. K'ung not to deliver your gift to me. The governing consideration is that, while I hold an official American appointment, I ought not to accept even an entirely personal favor of this kind, even from one so highly placed as yourself in shaping the history of the world. There is also a special circumstance which reinforces my decision: namely, that the Government appointment which I hold is under the jurisdiction of the executive branch and therefore of the President himself. On consultation at the White House I am informed that my request to you to allow me not to accept your gift is approved.

With warm and loyal wishes for victory in this year, and for the health and well-being of yourself and Madame Chiang,

Sincerely as always,

OWEN LATTIMORE,
Director of Pacific Operations.

Dr. LATTIMORE. I do not know just what Mr. Kung's motive may have been in presenting this gift, but I doubt very much that it indicated that the Nationalist Government, which should have known my views, believed that I was a Communist agent. On the other hand, perhaps I missed a chance of getting in on the ground floor of the China lobby. The fact is that, being devoted to the Generalissimo, it seemed to me possible to decline the gift since I was an American Government servant who could not properly receive such a gift. I did decline it, as the correspondence shows.

Senator GREEN. You say you were a Government servant at the time?

Dr. LATTIMORE. Yes, sir.

Senator GREEN. In what capacity?

Dr. LATTIMORE. I was Director of Pacific Operations for the Office of War Information.

Senator TYDINGS. What year was that?

Dr. LATTIMORE. That was at the very end of 1943.

Senator TYDINGS. Go ahead.

Dr. LATTIMORE. Now, gentlemen, I realize that it might be possible to select passages from the writings of a man who is the author of 11 books and more than a hundred magazine and newspaper articles, to prove almost anything. I also know that it is not possible for you to read all of my writings—I'd hate to undertake it myself.

Senator HICKENLOOPER. Mr. Chairman, about the proposed gift of \$5,000, at the time Dr. Lattimore was an official of the Government, isn't it true that it is illegal for an employee of the American Government under such circumstances to accept gifts from foreign governments without consent?

Senator TYDINGS. I don't know if it was from a foreign government. Dr. Lattimore will have to say whether it was the Government of China or a personal gift from someone in the Government of China.

Dr. LATTIMORE. It was represented to me, Senator, as a personal gift from the Generalissimo and Madam. I may say that I never got as far as considering the legal aspects of the question because the first thing that occurred to me was that it was simply unbecoming and I therefore took the steps that I did take.

Senator TYDINGS. Whether it came from a government or an individual, you didn't get the money?

Dr. LATTIMORE. I did not, sir.

Senator TYDINGS. All right; go ahead.

Dr. LATTIMORE. I think that the best judges of my position, however, are the people who have read my books and articles. I have not

the slightest desire to prove innocence by association, which I regard as about as fallacious as trying to prove guilt by association. But I want to submit to you the opinion of American scholars and experts who are familiar with my work and with the problems of China and the Far East to which my work relates. These people, I suggest, are best qualified to appraise my views and to testify as to their independence.

In the mass of mail that has come to me since McCarthy's first attack, there are about 170 letters from people who have a professional knowledge of my writings and work and of the Far East. The writers of these letters include almost everyone who has a reputation as a scholar or writer on the Far East.

Some of these people completely disagree with my analysis and conclusions; some partially disagree with me. But all of them unite in the conclusion that there is nothing in my writings which indicates in any manner that I am subversive or a Communist agent or fellow traveler, or that anything that I have written provides a basis for questioning my integrity or loyalty.

I have these letters here and will be delighted if the committee will arrange to have them examined. I also have a list of signers of these letters which I offer for the record.

Senator TYDINGS. We will take the list of signers for the record as exhibit 85, and unless the committee desires them later we will let that phase of the matter rest in abeyance.

Dr. LATTIMORE. Perhaps a few quotations from some of these letters will be of interest. A letter from 48 teachers and scholars concerned with Asiatic studies attests my "personal integrity as a scholar" and my "loyalty as an American citizen." Fifteen social scientists, including Quincy Wright, professor of international law at the University of Chicago, wired to several Senators to the same general effect.

You may find of particular interest a letter from Paul Linebarger, professor of Asiatic politics in the School of Advanced International Studies here in Washington, D. C. Professor Linebarger has opposed my view for many years. He writes:

There is a case against Lattimore's views. I have tried to make it as a Federal employee, as a G-2 officer in Stillwell's headquarters, as a Joint Chiefs of Staff liaison officer to the OWI, and as a postwar private scholar. But the case is one which can be made honestly against the views. To make it a charge against the man reduces our republican and democratic processes to absurdity.

And he adds:

If Lattimore is a "master spy," the Saturday Evening Post is a voice of Moscow, General Marshall a traitor, and Elmer Davis a rascal.

Edward A. Weeks, the distinguished editor of the Atlantic Monthly, for whom I have written many articles; Pearl Buck, who has written many books about China; Prof. Nathaniel Peffer of Columbia University; Prof. Donald McKay of Harvard; H. H. Fisher, chairman of the Hoover Institute and Library; and more than a hundred other specialists characterize the McCarthy charges as ridiculous and baseless. These people know what I have written and said. They know my published works and my views as expressed in discussions with other experts working in the same field. It would be insulting even to compare the quality of their judgment with that of McCarthy or Budenz, who are brazenly illiterate in the field where they presume to judge.

James P. Warburg, the internationally known banker and author; Robert E. Sherwood; Brig. Gen. Elliott R. Thorpe, retired; Elmer Davis, are all men with whom I have worked and who are familiar with my views and activities. All of these rebut and refute the insane charges against my loyalty and independence. Will you, gentlemen, seriously consider the uninformed, reckless, mad denunciations of McCarthy and Budenz against the informed conclusions of citizens like these?

It is, of course, highly distasteful to me to call anyone to witness to my integrity and loyalty. My life and works should be, and I believe are, sufficient evidence of these qualities. It is particularly distasteful to invoke the names and judgments of these 170 distinguished scholars and experts. But as I read their letters, I realize even more keenly than before that my obligation is to do everything that I can, by the emphatic and conclusive refutation of these charges, to establish, beyond question, beyond dispute, and beyond further challenge, the right of American scholars and authors to think, talk, and write freely and honestly, without the paralyzing fear of the kind of attack to which I have been subjected. [Applause.]

Senator TYDINGS. No demonstration, please.

Dr. LATTIMORE. I do not want to exaggerate the importance of my own role or of my own situation here. But as I read the letters that have come to me and as I talk with my colleagues, I cannot fail to note their great apprehension concerning the peril to free research and scholarship which this vicious political, and fanatical attack represents. I want to read to you an excerpt from only one of the many letters that reflect this fear. This is from Dr. Adda B. Bozeman, professor of international relations and comparative law at Sarah Lawrence College. I quote from a letter that she wrote to Senator Tydings, a copy of which she sent to me:

Ever since your committee began its hearings on Senator McCarthy's charges regarding Prof. Owen Lattimore I have had difficulties going about the ordinary business of living and teaching.

As a college teacher who began her career 10 years ago with considerable enthusiasm, I now spend most of my energy fighting frustration and futility in the face of the deliberate attack on all values of research and all honest processes of forming one's opinions which is certainly implicit in the treatment up to now accorded to Dr. Lattimore. There seems, indeed, little use in one's efforts to uphold and develop among students standards of integrity and independence, if a man known for learning and intellectual integrity like Mr. Lattimore can be subjected to the ignominious procedures involved in this case, while a man known for blind bias like Mr. Kohlberg can dictate to a United States Senator from Wisconsin what to say and what not to say and while ex-Communists known for false testimony in the past are expected to give decisive testimony to truth. After several weeks of fruitless reflections about this case and its alarming implications for freedom and security throughout the United States, I have decided to take the liberty of writing to you.

I have not the honor of being included among Dr. Lattimore's personal friends. This letter is, therefore, not really motivated by feelings of personal concern for Dr. Lattimore. I have, however, read most of his books and many of his articles. Although I am not an expert in far eastern affairs, I am sufficiently well informed and critically inclined to say that I have at no time and nowhere found a trace of pro-Communist or anti-American orientation.

Gentlemen, you cannot, you must not, permit a psychology of fear to paralyze the scholars and writers of this Nation. In a remarkable letter to me, the great Prof. Zechariah Chafee, of Harvard—an expert on this sort of suppression of freedom—speaks of this McCarthy attack

as a "barbarian invasion." It is just that; and it is at least as un-American as the evil to which it is so ineptly addressed.

The danger of suppressing freedom of scholarship and opinion is, of course, not merely a threat to the scholars. It is a direct and immediate danger to the national interest. Attacks of this sort which have the effect of intimidating scholars and researchers are bound to affect the quality of their work, to circumscribe their sources of information, and to inhibit the freedom with which they state their facts and conclusions. Particularly is this a calamity with respect to the Far East, where our knowledge is pitifully inadequate and our qualified experts woefully few in number.

You may remember that General Thorpe, a practical soldier, made the same point. I should like to quote from his testimony. In response to a question, General Thorpe said:

Sir, I came here because I am concerned as an intelligence officer about a person. I am greatly concerned about cutting off our sources of supply. I have stated my belief in regard to Dr. Latimore, and no one else, and I am concerned that people who handle Communist documents, people who are seen with them, if they are going to be accused of communism when they in my opinion are not, it is going to cut off what little bit we have left in the way of information.

I shall return to that point a little later.

Senators, I believe that I have dealt with all of the so-called evidence that has been presented in this unprincipled attack upon me. In his press conference on March 22, McCarthy said about my case:

I am willing to stand or fall on this one. If I am shown to be wrong on this I think the subcommittee would be justified in not taking my other cases too seriously. If they find I am 100 percent right—as they will—it should convince them of the seriousness of the situation.

Now, gentlemen, I think you have many independent reasons for not taking seriously McCarthy's charges in his other cases. I have no first-hand knowledge of the State Department personnel, but I am now something of an expert on McCarthy, Kohlberg, Budenz, and their associates.

I know that there are people who have been so misled by the spurious sensationalism of Joe McCarthy that they will not be satisfied unless you produce at least one victim. But I say to you, as a free and independent American citizen, that you have an obligation to yourselves, your high office, and your Nation which I believe is historic and important. It is, of course, your obligation to clear the individuals who have been unjustly slandered by this man McCarthy. Your task, however, does not cease with the vindication of the individual victims of McCarthy; your task will not terminate even by giving a clean bill of health to the State Department personnel if they deserve it, as I hope and believe they do.

I suggest—and I am sure that intelligent Americans will join with me—that it is your solemn duty to point out, in clear and unambiguous terms, that the processes of the Senate of the United States have been debased by this man McCarthy; that he has been contemptuous of this committee; that he has lied, distorted, and vilified; that he has improperly received and used classified information; that he has made promises which he has not fulfilled; that he has used discreditable and disreputable sources of false information; that he has disgraced his party and the people of his State and Nation; and that he has grievously prejudiced the interests of our country.

I suggest that it is your solemn obligation to warn such professional character assassins that they will not be permitted to run riot or to spread publicly their venom. Those who sponsor these underworld characters who have emerged from a life of violence and conspiracy can do and are doing great damage to our Nation. They do not reflect the great American traditions of freedom, decency, and faith in one's fellow man. They are unwilling to seek to gain their purposes by the democratic and honorable methods of open debate. To gain their ends—whether those ends are sinister, fanatical, or ideological—they use the weapons of personal attack and character assassination. They are masters of the dark techniques of villainy. They are artists of conspiracy. They are embittered, ruthless, and unprincipled.

The net effect of their techniques is to create in this land suspicion and hostility, and to turn citizen against citizen. The result of their work is to circumvent and impede the duly constituted processes of government which should be carefully devised to protect the innocent and to punish only those who are and can be proven guilty. Unless stopped, these persons will destroy the warm faith of each man in his fellow—a credo which is the bedrock of this democracy.

I think that it is important, gentlemen, that this Nation, while continuing its forthright resistance to communism, should also make sure that it is adequately protecting itself against those few but virulent people in our midst who seek to use the anti-Communist drive as an instrument for their own particular subversion of American ideals.

Specifically, I suggest that Senator Lodge's proposal of April 3 should be made the basis of a program for a comprehensive investigation and analysis of this entire problem. I believe that a commission such as Senator Lodge has suggested should be charged with the responsibility of a comprehensive survey of the methods and techniques of combating communism. This should include not only an appraisal of our present methods of fighting subversion to make sure that we are effective, but also an evaluation of the effect upon our institutions of the volunteer and irresponsible elements which are using the anti-Communist program in this country for their own purposes. This would include, of course, an appraisal of the libel-proof, irresponsible tactics of people like Senator McCarthy and Louis Francis Budenz.

There is a Chinese saying, gentlemen, that in guarding against the tiger at the front door you should not let your attention be distracted from the wolf at the back door. I urge that we take care of both the wolf and the tiger. This committee has a unique opportunity to make this great contribution to the national welfare.

I suggest, too, that your committee and the Congress now reiterate in the clearest terms, the fundamental American safeguards for freedom of speech and opinion; that you make it plain, beyond dispute, that these fundamental values have not been impaired by McCarthy and his associates; and that you advise all of the scholars, writers, and people of this country that they may and must speak their honest minds with frankness and vigor, and that they will not be vilified for doing so. If this McCarthy nonsense intimidates our scholars and writers, gentlemen, I assure you that the wellspring of democracy will dry up, and that the Nation will indeed be in peril.

And finally, gentlemen, I suggest that you put an end to this nonsense of trying to find or manufacture a personal scapegoat for the trials and tribulations of our world position. All of us should con-

centrate on the crucial problems of international policy that must be resolved if we are to survive as a world power.

Senators, it is plain to all that this country suffered a disaster of the first magnitude when China passed under the control of the Communists. But the question is, What do we do now?

Our present policy is already, in the main, a sound policy. I am not the architect of it, so my comment is disinterested. It is true that I have criticized details of it. I shall continue to do so. I am not going to be intimidated by Senator McCarthy, by the China lobby, by Communists or ex-Communists, or by any kind of underworld scum that McCarthy or Kohlberg dredges up.

The two great blocs of power to be balanced in the world are those of the United States and Russia. But there is more of the world that is not under the full control of either the United States or Russia, than there is divided between the two of them.

Mr. Walter Lippmann, in the April number of Atlantic Monthly, has given it as his opinion that the master key to world policy now lies in our ability to understand and deal with a group of nations that will be independent of control both from Moscow and from Washington. I agree with him.

Mr. Lippmann points out that there is only one idea—I myself should call it dogma—on which the Communist and the non-Communist world have been in agreement. That is the idea or dogma—I quote Mr. Lippmann's words—"that the world must, and that the world will, aline itself in two camps, the one directed from Moscow and the other from Washington."

I agree with Mr. Lippmann that this obsession with a two-way division of the world is Communist dogma, and that too many Americans, while believing themselves anti-Communist, have made the mistake of blindly taking over this Communist dogma.

I myself, however, can honestly say that I have never been the victim of this obsession, in either its Communist or its reflected form. As long ago as 1945, in Solution in Asia, I pointed to the coming three-way division of the world. I quote from page 106:

The world is now grouped in three major divisions. In one, the capitalist economic system and democratic political system are vigorous and unshaken. In another the Communist (or, strictly speaking, the Socialist) political system is now permanently established, and identified with a collectivist economic system. In the third, there is an adjustment yet to be made between capitalism and collectivism, and mixed political orders have not yet clearly taken shape. There will be a number of them, showing many degrees of modification, and the greatest of all the problems of our time is to work out methods of adjustment and avoid irreconcilable divisions both within countries and between countries.

Mr. Chairman, just in the last few days there has been published a book Peace or War, by John Foster Dulles, which, in Mr. Dulles' own way, reflects the same kind of opinion that Mr. Lippmann has been expressing, about the necessity for American policy to adjust itself to freely arrived at associations which we do not control and to abandon the idea that the only form of power politics is outright control of nations over which we can crack the whip.

Now, one thing has certainly been overwhelmingly presented to this committee, namely, the proof that I am not the architect of the far eastern policy of this administration. The latest confirmation of that comes from no less than four Secretaries of State, past and present.

But in view of the trend that Mr. Lippmann and Mr. John Foster Dulles are now following, I think, Senator, perhaps I ought to reserve the right to file a claim to be the architect of the Republican Party's foreign policy.

As the first priority in handling situations of this kind I recommended in my book, *Situation in Asia*, published last year, "virtual alliance with Britain"—hardly, Senators, a Communist idea. I pointed out that the North Atlantic Pact—which the Communists hate worse than they hate the Marshall plan—would form the nucleus of an alliance. I then added, on page 227, the recommendation that "only by working through the United Nations can the third countries, which are already critically important in Asia and may become important in Europe, be brought closer to the American side than to the Russian side."

On page 237 I pointed out that policies of this kind "would enable us to take up the adjustment of our relations with Russia backed by the good will of countries independent of us but benefiting by association with us, and therefore having a vested interest in remaining free of control by Russia."

I believe, Senators, that this country is now working toward a policy of this general kind. I believe it will in time be successful. I believe that it can even, in time, be extended to China, relieve China from domination by Russia, and considerably improve our position in Asia. It is true that there have been mistakes in our policy that will have to be remedied. But not only can we, eventually, cut losses—we can make gains—very big and important gains.

But in order to straighten out the disadvantages in our foreign policy and exploit the advantages, one thing is essential. The independent research worker who goes abroad to gather and study facts, as well as the men and women in the State Department who analyze situations and make policy recommendations, must be free to discuss facts, and to present differing opinions, without baseless accusations of disloyalty if their facts or opinions are not pleasing to pressure groups. This is a question that affects the whole fabric of our tradition of freedom of public political debate.

This is also a question, Senator, that vitally affects national security. The collecting of intelligence about other countries ought to be immune from prejudice and emotion. It should be conducted with the coldest realism. The standard of evaluation should not be "will this fact be pleasing to someone who has influence," but "is this fact true." Government intelligence agents cannot do a complete job unless they have full and free access to private experts who are in no way dependent, either for pay or for influence, on the Federal Government. The fact that such experts exist is of incalculable value to the Government.

But, Senators, there already exists in Washington and throughout the country an atmosphere of intimidation that is rapidly lowering the quality of research work. Private citizens who are well qualified experts are more and more afraid to express any opinion that may be attacked by a powerful pressure group. Once intimidation has gone as far as this, it is only a short step to the last stage of degeneration. Both private citizens and men in Government service begin to be willing to give a little, subtle distortion to their presentation and dis-

cussion of facts, in order to please men with prejudices. That is a result of the breaking of the spirit of free men that is fatal to our society.

Gentlemen, I know of no better way to conclude this statement than by quoting from the Congressional Record of July 26, 1949:

If then we feel it is this important to keep alive in the world the principle of the dignity of man, and our standards of justice and right; if we think it important enough to sacrifice the lives of hundreds of thousands of young men, and jeopardize the economy of our country by giving away billions of dollars, then it is of utmost importance that we demonstrate at all times to the people of the world that our form of Government actually is what we say it is—that it is more fair, more honest, more decent than the governments they have known under Hitler or Stalin, and that our form of Government stands for the rights of the individual over and above those of the state.

Surprisingly enough the words that I have quoted are those uttered by Joseph McCarthy, the junior Senator from Wisconsin. The Senator, however, gave voice to these eloquent words in the course of a defense of the Nazi SS generals who massacred defenseless American soldiers and a large civilian population in the infamous brutality of Malmedy. For this dubious purpose, the Senator violently denounced the United States Army which he accused of "being guilty of sacrificing the basic principles of American justice." I hope with all my heart that Joe McCarthy will come to understand that the principles of justice and fairness which he loudly proclaimed on behalf of the Nazi murderers are also the birthright of American citizens. [Applause.]

Senator TYDINGS. The committee will stand in recess until 2:30 today. I will ask Dr. Lattimore if he would, kindly, be present then.

(Whereupon, at 12:45 p. m. the committee recessed to reconvene at 2:30 on the same day.)

AFTERNOON SESSION

The subcommittee met, pursuant to adjournment for the luncheon recess, at 2:30 p. m., Senator Tydings presiding.

Senator TYDINGS. The committee will please come to order.

Mr. Morgan, have you some questions to ask Dr. Lattimore?

Mr. MORGAN. I have, Mr. Chairman.

Dr. Lattimore, I have listened to your reading of your statement this morning, and while it of course is not within my province to comment concerning the propriety of remarks relative to a United States Senator, I am constrained to express the belief that perhaps you and Senator McCarthy are now even, and with that in mind I would like to proceed to consider the charges that have been made here as objective charges, endeavoring to divorce it from the personalities that may be involved as much as possible.

Before going into the line of questioning which I wish to pursue I would ask you, if you will, to take your statement, because I have a few questions concerning it which I would like to propound at this point. I am referring now to page X7 of your statement, particularly to the last sentence of the first full paragraph on that page, where it is stated:

Mrs. Field states that she is not and never has been a member of the Communist Party, and that she is certain that neither Mrs. Lattimore nor I attended any meetings or any party in the Field house at any time during the year 1948.

How about other years? Did you attend any meetings at the Field home?

Dr. LATTIMORE. No; not that I can recall.

Mr. MORGAN. You recall no meetings at the Field home whatever?

Dr. LATTIMORE. I recall nothing of the sort.

Mr. MORGAN. On page A2 of your statement you have referred to your participation in fund-raising campaigns to aid Finland in its fight against the Soviet Union. Do we have any documentary evidence on that in our record?

Dr. LATTIMORE. Here, Mr. Morgan, are the minutes copied from the office copy in the files of the first meeting of the Fighting Funds for Finland, Inc., February 20, 1940, and the names of those who consented to serve on the committee were announced as follows: Etc., etc., Dr. Owen Lattimore.

Mr. MORGAN. May we have that for the record, please, as exhibit 86?

Referring now to page A15 of your statement, in view of the fact that certain observations have been made here relative to Mr. Budenz, I want to ask you, Dr. Lattimore, if in the quoted portion of the question and answers Mr. Parris propounded to Mr. Budenz at that time, if you gather from the first question that Mr. Budenz did not have your name mentioned in his article initially, at least to the point that there was an implication that Joseph Barnes and you, if not Communists, were fellow travelers?

Mr. FORTAS. Just a moment, Mr. Lattimore. The transcript, the exact manuscript, that Mr. Budenz testified he left with the editors of Collier's, is in your record, Mr. Morgan, and that speaks for itself. That manuscript did mention Mr. Lattimore. The exact language is in the record. If you have that exhibit here, perhaps you might want to show it to Mr. Lattimore.

Mr. MORGAN. The exhibit, as you say, Counsel, is of course in the record, but I am asking Mr. Lattimore at this point, since these questions and the answers that were given have been given quite a bit of attention in this statement, if from this question here one does not gather that at least in the mind of Mr. Parris at that time the implication might be that you and Mr. Barnes might be fellow travelers. Is that a fair conclusion?

Dr. LATTIMORE. I have not seen the transcript since it was handed in, so I don't recall the rest of the exact language, but the impression that I retain is that Mr. Parris, as an editor, was thinking of what readers might conclude, and wanted to raise the question whether Budenz was in fact implying that I was not a Communist, exactly, but a fellow traveler.

Mr. MORGAN. My thought there was with respect to the observations that have been made that Mr. Budenz at no time up to this point has indicated you in such a light. This might be an indication to the contrary, might it not?

Dr. LATTIMORE. I would have to see the transcript to see what opinion I would form from it. All I recall is that my name came in and the moment it was brought up Budenz backed off very hastily and very weakly.

Mr. FORTAS. Mr. Morgan, I have a distinct recollection of the record in this respect, and I respectfully ask that the exact language that is contained in that manuscript referring to Mr. Lattimore be placed in

the record at this point; that is to say, at the point where you are asking these questions.

Mr. MORGAN. That is entirely satisfactory with me, Mr. Chairman, for its insertion at this point in the record.

Now to page A17 of the statement. There is one observation there that I would appreciate your comments on, Mr. Lattimore, because it did not necessarily disturb me, but I would like your observations on it.

In referring to Mr. Budenz, you are referring to the "disgusting sport of being an informer." Would you care to make any further observation on that?

Dr. LATTIMORE. Yes, sir. I think that Mr. Budenz is an extremely disgusting person in this respect, that if a man gets out of the kind of conspiracy that he himself talks of having participated in, he may, of course, and he should, of course, give any information that he feels is important to the security of this country to the proper Government agencies. But what I think is disgusting is the practice of taking advantage of senatorial immunity to scatter names around before they have even been given to a proper agency for orderly investigation. That seems to me to be an extremely unpalatable form of commercializing his past career.

Senator McMAHON. But, Dr. Lattimore, Budenz did not volunteer. As I understand it, he did not volunteer to come here to testify. Senator McCarthy requested the committee, if I am not mistaken, Mr. Chairman, to subpoena him here to testify. Is that not accurate?

Senator TYDINGS. I think that is accurate, but Senator McCarthy—I may be wrong about it and I won't say it—but at least I think Senator McCarthy felt that what Mr. Budenz would say through having other people talk to him was the reason for his being summoned. I think Senator McCarthy himself made the request that Mr. Budenz be summoned.

Senator McMAHON. Yes, but Dr. Lattimore indicates, it seems to me, that he appeared here as a volunteer witness, and the record does not bear you out in that.

Dr. LATTIMORE. No. The only point I want to bring attention to, Senator, is this: This man has had 5 years to turn in any names that he considers important. He has written articles in which he lays heavy stress on the importance of the whole China question and China policy. And yet after 5 years he has not mentioned my name to any investigative agency, and he is still talking about some 400 other names. Within 5 years, even if a man cannot give the investigative agencies detailed information on names, surely orderly procedure would require that he turn in those names before he begins commercializing them.

Senator McMAHON. I do want to make sure, though, that I understand you correctly when you said that "During the 4 or 5 years since he left the Communist Party, in which he was principally occupied in the disgusting sport of being an informer * * *," do I understand you correctly now to say that you would not classify him as being engaged in the disgusting sport by turning over to the authorities of the Government evidence that he has of criminal conspirators who are seeking to overthrow the Government?

Dr. LATTIMORE. What I am saying, Senator, is that for him to release names first, in public, and under immunity, is a disgusting way of being an informer.

Senator McMAHON. Well, of course, he did give your name to the Federal Bureau of Investigation.

Dr. LATTIMORE. After some 5 years, and after my name had come into the press and after he had an opportunity when he knew he was going to have an opportunity, to testify under immunity.

Senator McMAHON. My memory is not so good on that. Are you correct in that last statement? Did he know that he was going to be a witness here when he gave your name to the FBI?

Mr. FORTAS. Senator, perhaps I can tell you what the transcript shows in response to questions by Senator Green. I don't have the exact page here, but in response to questions by Senator Green, Mr. Budenz said that the first time that he mentioned Mr. Lattimore to the FBI was last month. That would be some time in the month of March. If you will give me a few moments I can find that.

Senator McMAHON. I do not want to hold up the proceedings now, and will let counsel go ahead, but I wanted to make very sure that you were not condemning Budenz for giving information that he might have, or condemning any person, not alone Budenz but any person, who would leave the Communist Party and would give the authorities of the United States correct information relative to this conspiracy which exists in this country as it does in every country in the world. And I wanted to make sure that you were not condemning that practice, because if you were, then I would be condemnatory of your saying so.

Dr. LATTIMORE. Senator, I think that any citizen who has information relative to the security of this country has not only the right but the obligation to report it to the proper authorities.

I find in myself a deep distaste, however, for parlying the information later into lecture tours, books, and sensation. I find it particularly distasteful when a man acts as Budenz did and gets on the stand in a position of immunity and testifies against him. My vocabulary in describing that Mr. Budenz is that of a man who has been struck at unsuccessfully by a rattlesnake and do not feel overcome by affection.

Mr. MORGAN. In that same connection, Dr. Lattimore, at the top of page B4 you say, again referring to Mr. Budenz, "Since that time he has been engaged in commercial exploitation of his own sordid past, methods which in my opinion are a menace to our society."

Now I am wondering if there you are referring to the testimony that Mr. Budenz has given to agencies of our Government in some 12 different proceedings, or are you referring to something else in that particular sentence?

Dr. LATTIMORE. Yes. I am referring to his commercial exploitation of himself and his own sordid past, with all his lectures and sensational books, and particularly in connection with this business of waving around lists of 400 undisclosed names, so that anybody who questions Budenz had better look out: "You may be on my list of 400 names."

Mr. MORGAN. I think I would like to ask at this point, in line with Senator McMahon's question, if here you are referring to Mr. Budenz's activities in revealing the nature of the Communist Party and the

Communist movement in this country. Do you regard that as a menace to society?

Dr. LATTIMORE. I think that the more publicity and light we can have on the nature and methods of the Communist Party in this country, the better for the formation of sound understanding and public opinion in this country. I also think there are ways and ways of doing it.

Mr. MORGAN. You do not object, therefore, to the findings of Mr. Budenz, and the statements of Mr. Budenz. Your objection goes to the manner in which he does it, is that correct?

Dr. LATTIMORE. I think that any statement on Communist or any other political activities in this country of subversive groups or any other political groups are a proper part of open political discussion in this country, and should be accompanied by proper proof and demonstration. I don't like the kind of wild allegation to which I have been subjected.

Mr. MORGAN. In the same paragraph to which I have referred there is a statement that is made, and I think perhaps in view of the circumstances here you might like to make an observation. You state that "I respectfully draw your attention, Senator, to the fact that when a man like Budenz becomes a renegade from a secret party or conspiracy such as he has himself described the American Communist Party to be * * *" and it goes on from there. I am wondering if you would like to make an observation on the record, Dr. Lattimore, as to the manner in which you regard the Communist Party of this country. I notice you have attributed this conspiracy aspect to something Mr. Budenz said. Would you care to make a statement on the record concerning your attitude relative to the Communist Party?

Dr. LATTIMORE. I could make no statement on the structure or inside operations of the Communist Party in this country except by hearsay.

Mr. MORGAN. Doesn't that, Dr. Lattimore, almost place us all in the position of having to depend and rely upon men like Mr. Budenz, who have had an intimate acquaintance with the operations of the Communist Party in this country?

Dr. LATTIMORE. There is, Mr. Morgan, I believe, quite a large literature on the subject in this country, and there have been a good many people who have been Communists and have written on the subject. There have also been a great many political scientists who, without ever having been Communists or Marxists of any kind, have studied it from the documents, analyzed it, and so forth. We have in this country at Stanford University the Hoover Library and Institute of War, Revolution and Peace, which has collected documents from all over the world on the various stages of history, of various Communist Parties, and I think that that kind of a study is not only proper but necessary. I think it is an extremely important part of political science at the present time.

I myself am not an expert on that subject.

Mr. MORGAN. Have you familiarized yourself with those writings to such a point that you would care to make any observation along the lines you earlier suggested there?

Dr. LATTIMORE. My general idea of the American Communist Party, not only as an outsider but as decidedly a nonexpert on the subject

and having seen something of countries like China, in which there are Communist Parties, is that the American Communist Party seems to have practically no roots in American political life. It seems to consist very largely of people of recent European origin or extraction, from families that have brought with them political ideas from Europe. Added to that, there seems to be an extraordinary collection of misfits, crackpots, generally discontented people, and so forth.

There may also be in the party a certain number of honest people, the kind of people that you would disagree with yourself; you might dispute their conclusions but not the fact that the conclusions were arrived at by honest intellectual processes.

However, my over-all impression is that the American Communist Party has not only a very small place in American life, but a very small future in American life. The reason I believe that, and the reason that I am more interested in other political manifestations in this country than I am in communism, is because I believe that this country, throughout its history, has been of all countries the one in which a living democratic structure has been most real and most genuine. I have been a lot in countries which hope that they might some day have democracy, in which democratic phrases and expressions are more or less slogans or catchwords. But in this country we have, and have always had, a real democracy. People are not just working up enthusiasm over phrases. Democracy is a state in this country for every man. This is a country in which all of us, and our forebears, as long as they have lived in the country, have actually benefited by a real democracy. So that the praises of democracy are not just ideas in the air, but words which give a name to something real and precious in our life.

Mr. MORGAN. I think that a great many of us, Dr. Lattimore, will thoroughly agree with your statement that the roots of the Communist Party in this country are not in America, and I am wondering, from your observations and studies, which certainly have been more intensive than those of many of us, if you care to indicate where in your opinion the roots of the Communist Party in this country are.

Dr. LATTIMORE. Again, Mr. Morgan, I am not an expert on the subject. It is quite obvious that, even to a nonexpert, all over the world all Communists look to Russia, and in Russia look to Moscow. The degree to which those roots represent an actual flow of authority from Moscow into the various countries appears, so far as my knowledge goes—and my knowledge is not based on this country but on other countries—to have been subjected to a certain amount of change at different historical periods. For instance, in China you have Communists who subscribe, and who never have ceased to subscribe, to the ideas of Marx, Lenin, and later Stalin, but who at various periods in their history have been operating in a Chinese environment cut off from regular directives of detailed control from Russia, so that they have operated in the context of their own society and, so far as they have survived, have survived not only by adapting society to themselves but by adapting themselves to society.

Then you have other phenomena coming up, more recent, and to a political scientist extremely interesting: phenomena like the detachment of the Tito Communists of themselves from Moscow. We are dealing not with a simple phenomenon that can be reduced to a few

clichés but with one of the most varied phenomena of contemporary world political life.

Mr. MORGAN. I notice in your statement you have just made, and particularly the one preceding it, and also on page D3 of your statement, the observation in your letter to Admiral Yarnell. You state there that there is too little in common between the two nations, referring to the United States and Russia, to such elementary things as the meaning of words. You mentioned the word "democracy" just a moment ago. I wonder, Dr. Lattimore, from your study and experience, if the word "democracy" itself has a different meaning to the Russians from what it does to us.

Dr. LATTIMORE. I think it does, Mr. Morgan, but I am not enough of an expert on the subject to give you a good political scientist's definition. There are many of these terms, and I have dealt with them primarily in my experience not as an expert on American domestic politics nor as an expert on Russian domestic politics. My experience has been principally in the field between the Russians and the Chinese. My most specialized studies have been on peoples like the Mongols, the various Central Asian peoples of Sinkiang Province, and so on.

Now, in dealing with these people I find that very often the largest fund of factual information is in the Russian language, partly nineteenth century Czarist Russian, some older than that, of course, but very largely nineteenth century Russian, and since the Russian Revolution, Soviet information.

Now, in dealing with that information I find that over and over and over again, while looking toward that in the context of our daily lives you understand without any difficulty, it has to be extremely carefully handled when you are dealing with Russian political science or economic literature. It is not only the word "democracy"; it is words like "feudal," "clan," "tribal," "family," and so forth.

Mr. MORGAN. When you use the word "democracy," Dr. Lattimore, in your writings, in which sense do you use it?

Dr. LATTIMORE. I am trying to recall a definition of democracy that I tried to write down for myself once not so very long ago. It may be in one of my books here, or it may be in an article that I can't lay my hands on.

Perhaps I had better just try and recall the general thinking that led me to that definition.

I think that the essence of democracy is to be found in society where men and women may freely meet together to discuss their political ideas, and if they agree on a group of ideas, to organize themselves in the support of those ideas, and are, by the constitution or standing customs of their country, allowed to be represented in the processes of government, by freely choosing for themselves people whose ideas are like their own, to speak on their behalf in the necessarily smaller bodies that order the affairs of a community.

Mr. MORGAN. I would gather from your definition, therefore, that that would contemplate respect for the ideas and thinking of various elements and various groups, and the privilege of such groups to be entitled to representation; is that correct?

Dr. LATTIMORE. That is implicit in the whole idea, because if you allow people to organize in groups in support of their ideas—and, I should add, their interests as well—then what applies to one such group should apply to another.

Mr. MORGAN. There is one reference in your writings to which we will come momentarily, Dr. Lattimore, in which you referred, I believe, to certain groups in the Orient looking across the border to "democracy" in Russia. What did you mean there?

Dr. LATTIMORE. When we come to that passage, Mr. Morgan, I shall be glad to go into it, or I can go into it at this point.

I was writing there, as I have often written, of groups of people in Asia who never in their history have had the kind of democratic political institutions that we have. Among such, for the last 50 years or so, were the spread of various movements of nationalism and so on. Democracy has become a very common delightful aspiration, but since it is something to which they aspire, something which they do not have yet but hope to have, their ideas of it are necessarily rather vague. They are different from ours because when we speak of democracy we speak of defending something that we have, not of a hope of something that we might get.

Accordingly in such countries, and this was extremely important in China during the war and at the end of the war, democracy not only in the Chinese language but in a number of other languages in central Asia, India, Indonesia, and so on, very often to the man in the street or the man in the village, comes to mean a more tolerable kind of life than we have. Remember, we are dealing with populations and that the vast majority have a day-to-day life that is not easily tolerable.

Now, when you come up against the Soviet frontier you find many communities closely similar, originally closely similar, to the communities that are not within the Russian frontier. The Russian frontier was formed there historically by the Russians stopping along a line not because, or not always because, they had come to a natural frontier, but just because they had reached the limit of expansion, so that you can take a people and half of them had been taken under Russian rule and half had been left outside of Russian rule.

Now, in Soviet Central Asia, which is the part of the world I was writing about in that passage, there have been since the Russian Revolution, and it would be foolish for us to close our eyes to the fact, very considerable material improvements in people's lives. A great many people are still poor, poorly dressed, and perhaps not adequately fed. On the other hand, the number of people who can get an education, who can go on to a career better than their ancestors had, and all that kind of thing—they can become engineers, doctors, and one thing and another—has greatly increased.

The people next to them, but not under Soviet rule, very often envy them, and since in their political vocabulary democracy means something that it would be nice to have "but we haven't got it," they very easily apply it to what they know about on the Soviet side of the frontier.

Mr. MORGAN. When you referred, therefore, to the democracy which they saw on the Russian side of the border, you were not referring to democracy in the sense of the definition you gave us, then; is that correct?

Mr. FORTAS. Do you have that passage, Mr. Morgan?

Mr. MORGAN. Suppose we pass that until we get to it. I am sorry we got diverted there.

Dr. LATTIMORE. I just might as well make the point at the moment that in the general treatment of that question I carefully pointed out that these people who are in contact with something under Russian rule that to a certain extent they envy or would like to have are also people who are entirely out of touch with us, and are therefore not in a position to make a comparison between our democracy and what they tend to call democracy in Russia.

Mr. MORGAN. Well, of course, when I read it, for example, Dr. Lattimore, I did not find that you were expressing it in such terms. I could see, for example, their seeing a better school or better conditions across the border, but when they see the democracy across the border that left me with the impression that you conceived of the situation there as a democratic one, and that is all I am talking about now.

Dr. LATTIMORE. Yes. I go on with the development of that idea there, and then I speak of this man, any man, in this heart of central Asia, who may be told that these people are free and have democracy. If he is then told that in distant America nobody considers that there is either freedom or democracy in the Soviet Union, he is going to shrug his shoulders. He is not in contact with the American system and for him it forms no basis of action.

I might add something to that from recent experience. I don't know whether on this occasion I should speak freely about the affairs of another country, but I will go ahead. Recently when I was in Afghanistan I asked the members of the foreign western community, mainly diplomats whom I met in the capital of Afghanistan, whether there was any overt Russian or Afghanistan propaganda going on in the country. All of them except one said "No." The one exception was a man who had spent most of his life in countries close to the Soviet frontier, and spoke several of the languages. He shrugged his shoulders. He said, "I think the answer to your question is that just across the frontier of this country at a certain point there is a large Russian development enterprise going on. A big city is springing up. There are factory chimneys. The trams run. There are movies and people who formerly were very humble shepherds, or the kind of farmer who plows with a wooden plow, are getting employment in that town in ways which to them are exciting and new."

He said, "That town doesn't happen to be within the territory of this country, but I think that its existence is very powerful propaganda in this country."

Mr. MORGAN. Perhaps I can dispose of all of this by asking you a simple question now. Do you regard the Soviet system as a democratic system.

Dr. LATTIMORE. Under our definition, the definition that I have just given, certainly not. On the other hand, it would only be fair to say that so far as I know about Russia, and remember I don't know the typically Russian parts of Russia. The only parts of Russia in which I spent any time at all are these frontier districts in which very often the Russians are outnumbered by non-Russian people. In these districts which I know you might say that there exists a certain group of democratic practices which somewhat resemble an unfinished house of which the first story has been built and the second not added.

That is, very often in, as far as I have seen, country villages and little towns, there does appear to be a system of election and representation, and those people run their own affairs on a local scale. Then on top, where they have a democratic structure that goes all the way on up to the highest offices of the country, the Russian system seems to stop and instead there is an all-pervading Communist Party which in sessions of its own works out policy lines. These policy lines are then handed down to people who are told to do what has been decided, and that is definitely not democratic. In Russia anything that we would recognize as democracy either does not exist or I do not know about it.

Mr. MORGAN. There has been one phase of your writings brought into question here, and I would like to refer to it, since we are discussing the subject of democracy.

In the September 1938 edition of Pacific Affairs, at the time when you were editor, there appears an article written by William Henry Chamberlain, I think you mention Mr. Chamberlain in your statement. In the article he is, to speak generally, critical of the Moscow trials. Thereafter, as editor, you make some observations concerning Mr. Chamberlain's criticism, and without reading it all, I want to read the concluding paragraph of your observations concerning the Chamberlain statement.

Mr. FORTAS. Mr. Morgan, please, what page?

Mr. MORGAN. Page 371, the last paragraph.

After taking issue with Mr. Chamberlain in certain aspects of the situation, you say:

The real point, of course, for those who live in democratic countries is whether the discovery of the conspiracies was a triumph for democracy or not. I think that this can easily be determined. The accounts of the most widely read Moscow correspondents all emphasize that since the close scrutiny of every person in a responsible position, following the trials, a great many abuses have been discovered and rectified. A lot depends on whether you emphasize the discovery of the abuse or the rectification of it; but habitual rectification can hardly do anything but give the ordinary citizen more courage to protest, loudly, whenever in the future he finds himself being victimized by "someone in the party" or "someone in the government." That sounds to me like democracy.

Would you care to make any observation on that?

Dr. LATTIMORE. Surely. Incidentally, yesterday I spoke with Mr. Demaree Bess, who is mentioned here, because I quoted him as Mr. Chamberlain's successor as Moscow correspondent, and I spoke of this passage, and he laughed and said, "Well, you certainly were off base that time."

Nevertheless, I do not think that I was off base. The point here is that, following the practice of Pacific Affairs, we had an article on the other side in which someone had praised the conduct of the Moscow trials, and I think there is where the phrase "triumph of democracy" comes from. The question of "triumph for democracy" then was not my phrase, but one which I was quoting that had come up in the course of this controversy, and I as editor was trying to close the controversy, because that was a quarterly magazine and in a magazine that comes out every 3 months you can't carry on the thing forever and ever. I stressed something Mr. Demaree Bess has published; and there were also other correspondents whom I mentioned here at that time who were reporting that since the close scrutiny of every person in a re-

sponsible position following the trials, a great many abuses had been discovered and rectified. I then emphasized the idea that when the ordinary citizen can have more courage to protest loudly whenever in the future he finds himself victimized by someone in the party or someone in the Government, that sounds to me like democracy—not like the triumph of democracy, but like democracy. In other words, I was praising what perhaps too optimistically seemed to be a change at the time from the original Russian system of authority and what I thought was the hopeful sign that people were beginning to have courage to protest when they were ridden over roughshod by party functionaries.

Mr. MORGAN. You still feel, therefore, that the handling of the Moscow trials sounds like democracy to you?

Dr. LATTIMORE. I think I was speaking there of the results of the Moscow trials. The result of the Moscow trials was that people were beginning to talk back to officials if the officials were too dictatorial.

The hope did not develop, as we know. After that there were further trials, and since then the system in Russia has become more rigid, not less rigid; but what I was reacting to was what seemed to me a hopeful symptom at that time that it was becoming less rigid.

Senator McMAHON. It certainly was pretty rigid for the ones they stood up against a wall and shot.

Dr. LATTIMORE. It certainly was.

Mr. MORGAN. This morning I think all of us, in reading page D7 of your statement, were somewhat impressed with the quotation that appeared in one of the series of recommendations that you gave Chiang. The passage to which I refer is the one quoted there, as follows:

It is recommended that China immediately adopt political methods that will decrease the present Communist influence in Outer Mongolia and prevent the Chinese Communists from replacing the Russians as a source of Communist ideas and influence in Outer Mongolia.

This expression, "replacing the Russians," confuses me a little, Dr. Lattimore. Will you amplify on that a bit?

Dr. LATTIMORE. Yes.

Outer Mongolia, since the early 1920's, has been a country that has defied Chinese authority successfully. Let's put it this way: There has been no question whether Outer Mongolia has been de facto independent of China. The question has often been raised whether it was de facto independent of Russia. That is a separate question. It was definitely independent of China.

At this point the Generalissimo, as part of his over-all view of the world situation—and remember that that was in the summer of 1941, when the Russians were extremely hard-pressed and when for the British also victory lay down a very long and hard road; the Chinese were also having an extremely tough time, and the Generalissimo wanted to put up an idea of a new treaty between Russia, China, and Britain, all of which were defending themselves, that would not only strengthen their defense position during the war but make it easier to stabilize their postwar relations on a long-term basis.

As part of that he was extremely anxious to clarify and solidify and strengthen the frontier between China and Russia. He asked me to

telegraph this idea to Washington, which I did. You will find that part of the telegram—and that is why I can talk about this freely—has been published. It can be found in Robert Sherwood's Roosevelt and Hopkins.

The idea didn't come off, and I won't go into that further, but as part of the preparation for implementing the idea if it should come off the Generalissimo asked me, as an expert on Mongolia and central Asia, to prepare a memorandum on problems and suggested methods of handling the Mongolian question for China, which I did.

I started from the point that Mongolia at that time, and for some 15 years; no, for nearly 20 years, had been—we were not using the term then, but what we would now call a satellite of Russia. I don't know the exact forms of Russian control or domination, but it had been very close to Russia. It had a Mongol Government, but there were Russian advisers in there, and it was quite obvious that no questions of high policy were decided without the Russians.

Senator HICKENLOOPER. What year was this?

Dr. LATTIMORE. 1941.

Now, if the Chinese were to succeed in a diplomatic move which would get the Mongols to recognize Chinese sovereignty again, they would improve their territorial position by reuniting Mongolia with China. But the Mongolia that would be reunited with China would be a Mongolia that had been deeply penetrated if not permeated by Russian ideas for about 20 years. Therefore it would be an advantage to China to get the territory back, yet there would be a very serious problem.

What about the political ideas of these people? How do we fit them into the Chinese community again?

Therefore I said, if they are detached from Russia in this way, there will be a firm frontier between Mongolia and Russia, but your Chinese Communists are up here in the north, and there may be a coming together of Communist-minded Mongols and Communist-minded Chinese; therefore, you are going to have a problem, and accordingly in order to handle that problem you should, in good time, set up a plan of operation that will give these Mongols, if they can be newly united with China, a stake, something to their own benefit, in a non-Communist association with a non-Communist China. And that is the way to handle this problem, and the details are to a certain extent worked out in that memorandum.

Of course the whole thing is over the dam now because the treaty never came off, and at the end of the war the Chinese recognized the independence of Outer Mongolia.

Mr. MORGAN. I appreciate the explanation very much, Dr. Lattimore. I might suggest that we have a long way to go here, and if you can in justice to the answer shorten it a bit, fine. If not, go ahead and elaborate any way you see fit.

Senator GREEN. Will you kindly state whether this whole memorandum has ever been published?

Dr. LATTIMORE. No, sir. None of the memorandums that I wrote for the generalissimo have ever been published.

Senator GREEN. Would you be authorized to publish it in part now?

Dr. LATTIMORE. I said this morning, Senator, that I thought that I really should not take the responsibility of publishing or asking to have published any memorandums of this kind.

Senator GREEN. But you have taken the responsibility, nevertheless, in publishing part of it.

Dr. LATTIMORE. Yes. I would never have done so if a totally unjustifiable attack on my person had not forced me to do so in self-defense. I have given the whole memorandum to the committee, but have asked the committee if in its discretion it would refrain from putting the whole memorandum on the record.

Senator GREEN. The extracts from the memorandum you have published, and not in response to any question.

Dr. LATTIMORE. This one paragraph.

Senator GREEN. Yes.

Mr. FORTAS. Mr. Chairman, perhaps there is a misunderstanding. This morning it was agreed that the entire memorandum would be handed to the chairman.

Senator GREEN. I was here and remember that, but I am asking Mr. Lattimore how he justifies the publication here of part of this memorandum without any authority from the person to whom it was addressed.

Dr. LATTIMORE. Senator, these memorandums are not in the same class as classified documents of the United States. These are personal memorandums presented by me to the generalissimo, and when I left Chungking I spoke to the generalissimo about it, and I was allowed to take with me anything of the kind as my personal possession. Therefore, so far as declassification is concerned, I can declassify the whole thing if I want to. It is not a matter of regulation; it is simply a matter that I have the personal feeling that so long as the man for whom I worked is still the head of even a nominal government, I do not think it would be becoming for me to publish all these documents in whole, but I have the right to publish any part of them that I want, and I have the right to publish the whole of it if I want to, and the committee may overrule me and publish the whole memorandum if it wants to. It is simply a question on my part that I do not think it is a fitting thing to do.

Senator GREEN. But do you think it is fitting to quote from it?

Dr. LATTIMORE. Certainly.

Senator GREEN. I just wanted to get your point of view as to the proprieties, that was all.

Dr. LATTIMORE. All that I quoted there was the specific fact, and, after all, it is a hypothetical question now, a question of the reuniting of Mongolia and China, but I thought it was perfectly fitting to show that my attitude toward their hypothetical question was not one of promoting communism or communization.

Senator GREEN. I had understood you to state you were confidential adviser to Chiang Kai-shek.

Dr. LATTIMORE. That is right.

Senator GREEN. So you did not regard this as a confidential communication?

Dr. LATTIMORE. That was at the time a highly confidential document. The reason that I selected it is because the whole question has since gone by the boards, and the redeveloping of it does not hamper the diplomatic moves of anybody, because the whole thing, so far as that is concerned, is a dead issue.

But there is no question but that at any time it has been in my discretion to publish part or all of this and other documents if I want to.

Mr. MORGAN. Referring now to page D9 of your statement, in the second paragraph there appears this sentence:

I have not had the slightest desire to prove innocence by association, which I regard as about as fallacious as trying to prove guilt by association.

Dr. LATTIMORE, does your revulsion at endeavoring to establish guilt by association in the field of communism also apply in the field of fascism? In other words, do you regard it as reprehensible and objectionable. Is it fallacious to endeavor to hold one guilty of Fascist practices, by association, as you indicate is the case in showing that one may be Communist by reasons of associations?

Dr. LATTIMORE. Certainly.

Mr. MORGAN. On pages D 11 and D 12, you make a very pointed statement which you presented to us this morning relative to the freedom of American scholars to think and talk and write, as they honestly feel they should.

I am merely asking for more information here. On pages D-11 and D-12 you make a very pointed statement which you presented to us with some vehemence this morning relative to the freedom of American scholars to think and talk and write as they honestly feel they should. I am merely asking for information here. Do you mean to imply there, Dr. Lattimore, that you feel it is not a proper province to inquire into the character and the purport of writings wherein it appears that they have a degree of parallel, or do parallel programs that may at any time be regarded as inimical to the best interests of this country?

Dr. LATTIMORE. I shall always attack any writings that I consider to be directly promoting fascism or promoting communism. The question of whether a person is guilty of fascism by association is a separate question. But I think that all writings should be subject to the scrutiny and open criticism. The point that I was making was the kind of paralyzing attack that I have been subjected to by calling writings of mine Communist or party line when they were not.

Mr. MORGAN. That is why I want you to make every observation you wish to, Dr. Lattimore, about your writings.

Dr. LATTIMORE. That is why I appreciate the letter that I quoted from Dr. LINEBARGER, in which he said that he had disagreed with me right down the line in various capacities for a number of years, but that he considered that there was a difference between disputing my ideas as ideas, and carrying on an attack on my person.

Mr. MORGAN. What I had in mind is, you are not presuming to suggest that a committee of Congress may not properly inquire into matters of this kind?

Dr. LATTIMORE. Decidedly not. What I object to is the impropriety of Senator McCarthy getting up and making all these allegations which he has not even attempted to prove—"top espionage agent," "Soviet agent," "Communist" and all the rest of it, and he has repeatedly refused to say so in an area where I can debate the issues as a scholar should be allowed to debate the issue.

Mr. MORGAN. In your statement, going back to the testimony of Mr. Budenz, you imply, if not state pointedly, that Mr. Budenz has

not told the committee the truth. I am wondering, Dr. Lattimore, if you have found any instance in which Mr. Budenz has not told the truth incident to his some 12 appearances before various bodies.

Dr. LATTIMORE. An instance in which he has not told the truth?

Mr. MORGAN. My thought here is this? We here have a witness who has appeared many, many times on many different situations and issues. We have already an indication, at least, that your belief is that he has not told this committee the truth. I am wondering if you base that on the fact that anywhere Mr. Budenz has thus far not told the truth in his testimony.

Dr. LATTIMORE. I have no way of knowing the truth or falsity of any of his previous testimony about other people or other issues. I do know, and I deeply resent, the lies he has told about me.

Mr. MORGAN. Well, Dr. Lattimore, it seems to me—and correct me if I am wrong—that Mr. Budenz's testimony related to what he had been told by others, which you could not know, of course, and I am wondering if his stating what he has indicated was told him is a basis for your concluding that his statement was not the truth.

Mr. FORTAS. Oh, now, Mr. Morgan, after all. Your questioning of this witness, it seems to me, is highly objectionable. The last question implies that you, and I know this is not true, attach a greater dignity to hearsay testimony than to direct statements. This witness, Mr. Lattimore, has testified at length as to just what he characterizes as lies in Mr. Budenz's testimony, and if you want him to repeat that statement, I am sure he can oblige you.

Mr. MORGAN. I want him to answer my question, Mr. Fortas.

Dr. LATTIMORE. I should like to add, Mr. Morgan, that Budenz testified to hearsay evidence that I was actually carrying out Communist directives and organizing writers on behalf of the Communists. That is a lie. It is a lie if it was told to Budenz, and it is a lie when he repeats it.

Mr. MORGAN. We are getting now to the point I wanted cleared up for the record.

In other words, when you refer to the fact that Mr. Budenz has not told this committee the truth, you mean that what he says he was told by others is not the truth; is that correct?

Dr. LATTIMORE. "He says he was told by others." That has been denied by others. I don't know whether anybody else told Budenz anything or not. I don't know what weight the committee may place on the testimony of one ex-Communist, or practicing Communist, versus another ex-Communist.

My point is that I have been lied about, and Budenz may have invented that right out of old cloth, or he may have repeated it. I think he has invented it out of old cloth.

Mr. MORGAN. I merely wanted to get on the record the apparent discrepancy. I am not attaching significance to anyone or any bit of testimony. I do believe that we have here some very pointed indications concerning Mr. Budenz's veracity, one way or the other. I merely wanted to clarify it for the record at this point.

On page Y6 of your statement, you say [reading]:

The world is now grouped in three major divisions. In one, the capitalist economic system and democratic political system are vigorous and unshaken. In another the Communist, or strictly speaking the Socialist, political system is now permanently established, and identified with a collectivist economic system.

Do you make a distinction, Dr. Lattimore, between a Communist and a Socialist system?

Dr. LATTIMORE. The Communists and Socialists both make that distinction, and I repeat the distinction here. I am not enough of a specialist on either communism or socialism to tell you the exact difference. The British Government, for instance, is certainly a Socialist government. Again it is very obviously different from the Soviet Government, it is a democratic government, as well as a Socialist government. But I know from the literature that the Communists themselves always refer to their government and their social and economic as well as their political system as being Socialist rather than Communist.

Mr. MORGAN. The position that you take with respect to the third element, which you neither characterize as Communist, Socialist, or, let us say, Democratic, or pro-United States, that element, as I understand it insofar as American policy is concerned, is not to be approached with the idea of projecting any positive American entree into such countries; is that the idea?

Dr. LATTIMORE. That refers to such countries, such very different countries, as Britain, India, Pakistan, Indonesia, and so forth. I think that as third countries, which are not now and are not likely to come under our control, we should do everything in our power to project our ideas, to help create conditions which may make those countries become more like us, but as far as politics are concerned, we cannot assume that any of these countries will make itself over exactly in our image.

Mr. MORGAN. Well, if I am correct in my interpretation of some recent statements made by the American Secretary of State, he contemplates some such approaches to such peoples. Are you in disagreement with his policy in that respect?

Dr. LATTIMORE. I am sorry; I have been kept so busy for the last month that I am not up to date on any recent statements. If you could give me the text—

Mr. MORGAN. I think perhaps I am getting a little far afield even there, Dr. Lattimore, so we will not pursue that any further.

Getting back to some matters clearly on the record here that I would like to have clarified; in your testimony, I believe, originally, you referred to a meeting with Mr. Earl Browder in 1936. Mr. Browder in testifying before our committee stated that he had never seen you. Manifestly we have, on our record, at least, a little discrepancy. Would you care to amplify as to the meeting, when it was, where it was?

Dr. LATTIMORE. I can't recall very clearly when the meeting took place. To the best of my recollection it was sometime in the fall of 1936. As I said in my statement, I was hoping to open some leads which might lead to sources of information about the Chinese Communists, because I was going to China. I am not at all surprised Mr. Browder doesn't recall the occasion because, as I said, I went down there to call on him, I got a very quick brush-off, about a minute and a half, and it is not surprising at all that he doesn't recall it.

Mr. MORGAN. That occurred in New York City, did it?

Dr. LATTIMORE. Yes.

Mr. MORGAN. In connection with the expression we have here about your being or not being the architect of our foreign policy in the Far

East, and the statements that have recently been made by three former Secretaries of State and the present Secretary of State to the effect that you had nothing to do with it so far as they were concerned, what has been the extent of your acquaintance, Dr. Lattimore, with employees of the State Department in the Far Eastern Section?

I don't want to go into a long discussion, if we can avoid it, but I think that it would help us a great deal if you could go into your association with them and develop that a bit for the record.

Dr. LATTIMORE. Well, naturally, Mr. Morgan, since I was living in Peking through most of the thirties, and part of the twenties, I met and got to know socially, more or less well, from casual acquaintance to very good friendship, a number of members of our Foreign Service, some of whom have since risen to positions of considerable authority. I knew them, as I knew other Americans in the Far East, and I talked with them, as I talked with businessmen, about situations in China, the way things were running, prospects of the future, all that kind of thing.

I have never had any close professional contact with members of the Far Eastern Division in the Department of State, or any other division. I will tell you why. I have a philosophy of my own on the subject, which has become more and more settled in my mind as I have written more books and as I have written syndicated newspaper articles, and so on. That is that in my position as a public commentator, and an interpreter of policy questions, especially in Asia, I do not like ever to be indebted to members of the Government for inside information. I think that even if it doesn't cramp my style at the time it is likely to cramp my style in the future.

Now, that is a matter of personal choice. Many people work by building up their "pipelines," as they are called. I just don't happen to like doing it. My experience, my knowledge of the Far East is, after all, not based on American personnel. My knowledge of the Far East is based on the Far East, on the peoples and the languages of that country, on the direct sources of those countries.

Therefore, I like to feel free to come, from my background knowledge, to an individual treatment of any foreground question, and not to feel that I have been obligated to somebody in an official position for giving a particular presentation of any situation.

Mr. MORGAN. Have you ever recommended personnel for employment in the Far Eastern Section of the State Department, Dr. Lattimore?

Dr. LATTIMORE. Never; except in the form that occasionally, especially since the war, when there has been a great deal of shifting of Government personnel, various people's records have been brought to my attention, they say, "So-and-so is applying for a job, what do you know of him?" that kind of thing. But I cannot recall that ever in my life have I taken the initiative in placing a man in the Government.

Mr. MORGAN. Who contacted you on those occasions?

Dr. LATTIMORE. The regular agencies, like the FBI, Civil Service Commission, and so forth:

Mr. MORGAN. How frequently has that occurred? Do you recall?

Dr. LATTIMORE. Less frequently now. In the first years after the war, when the shifting around was going on, much more than now, quite a large number. For instance, in my capacity as director of

the San Francisco office of OWI, I had a large number of people under me. After the war the OWI was dissolved as such and brought into the State Department, where it has since gone through several reshufflings and reorganizations, and a great many of the people of that kind would be referred back to me as their former superior, to see if I endorsed their record or not.

Mr. MORGAN. Now, certain employees of the Far Eastern Division of the State Department have been publicly involved, as you know, in these proceedings. I wish you would indicate for the record, if you will, rather completely, the nature and extent of your association with, No. 1, Mr. John Stewart Service.

Dr. LATTIMORE. Mr. Service I got to know first in Peking during the 1930's, when he was—I think he was a student interpreter at that time. I don't remember. He was a junior member of the Embassy, or it still may have been a Legation. He is a good deal younger man than I am. I saw him again in Chungking when I was there as adviser to the Generalissimo, when I used to go over to the American Embassy occasionally. I saw him again when he was on loan from the Department of State to General Stilwell, when I was out there very briefly in 1944. I saw him again when he came back from China, I forget which year it was. And my wife and I have always thought very well of him and his wife. I have always considered him one of the most hard-working and well-informed and intelligent younger men in that part of the service.

Mr. MORGAN. Now, in the case of Mr. Haldore Hanson, do you know him, Dr. Lattimore?

Dr. LATTIMORE. Haldore Hanson I know much less well. I remember him as a young and extremely interesting newspaper man in Peking in the 1930's. As I recall he came out originally to teach at one of the Christian colleges in China. I forget which one. Then he became more or less a "string man," I think is the term, for one of the news agencies. And in 1937, after the Marco Polo Bridge incident, which started the all-out Japanese attempt to conquer China, he did some very enterprising journalism as a newspaperman covering both the Chinese and the Japanese sides of the line in that war, which was sometimes quite a fluid line, and he wrote some very good dispatches at that time. Since then I have scarcely seen him.

Mr. MORGAN. Have you at any time ever counseled with these officers of the State Department in connection with any memorandum or other material that they have supplied the State Department in their official capacities, Dr. Lattimore?

Dr. LATTIMORE. Not that I can recall, and I think that I would recall it.

Mr. MORGAN. There is another name that has leaked out in the hearings. That is Mr. John Carter Vincent. Do you know him?

Dr. LATTIMORE. I know Mr. Vincent also from the 1930's. He and his wife have always been very good friends of my wife and myself. We have never lived for very long at a time in the same place. I saw again a good deal of Mr. Vincent in Chungking in 1941-42. I saw him again occasionally after he came back to this country, but I can't even remember what year it was. And he, for the Department of State, and I, for the Office of War Information, were both assigned to accompany Mr. Wallace to Siberia and China in 1944.

Mr. MORGAN. Incidentally, Dr. Lattimore, in that connection, some question has arisen concerning a report that was submitted pursuant to that mission. Was there a formal report, or an informal report, for that matter?

Dr. LATTIMORE. Mr. Morgan, I just don't know about that. If there was one, I wasn't in on the writing of it. On that journey to Siberia and China, Mr. Vincent, as the Department of State man, was, quite rightly, a member of various political meetings and discussions that Mr. Wallance had. For instance, while we were down in Kashung, I think it was, Mr. Averell Harriman flew out from Moscow, and they had a meeting and discussed various questions, presumably of policy, but, just as he was, quite rightly, present, I was not, quite rightly, present, because that was not my function. I did not belong to the policy-making part of the Government. The same thing happened in China, the policy discussions I did not take part in, except that I had fairly long personal discussions at their invitation with the Generalissimo and other Chinese officials at which other people were not present.

Mr. MORGAN. Dr. Lattimore, at the time of your original appearance there was a line of interrogation pursued by Senator Hickenlooper which I don't think he followed through on in this regard: How much of your life, your life during your formative years, was spent under local American conditions; let us say, up to the age of 21, what portion of your life was spent in this country?

Dr. LATTIMORE. That is easy to answer. Up to the age of 21 I had spent about 10 or 11 months in this country. Those were the first 10 or 11 months.

Mr. MORGAN. With that in mind, I want to ask a general question, a question which I think is proper, and which might throw light in this proceeding in a manner which is not readily apparent: In your writings, bearing that in mind, in your writings concerning the Chinese, particularly up in the Mongolian area to which you have referred, has your thought been essentially what is best for the Chinese people, as distinguished from what might be, perhaps, best for the United States of America, if you can distinguish the two?

Dr. LATTIMORE. When I have dealt with, analyzed, and discussed political questions in China, Mongolia, et cetera, I have always started, tried to start from the baseline, what is this country, what are these people; second, what is going on in this country; third, is tendency A or tendency B the stronger one in this country.

I think your question is very pertinent because many Americans, people of any nation who spend a large part of their lives in some other nation, tend to develop what you might call a paternalistic attitude of feeling that they have a right to recommend what the people of that country should do for their own good. "I know better than you do; for your own good do what I say." I do not think I have ever developed that attitude. I have always tried to work from what is rather than what I might think on the subject.

Mr. MORGAN. It has been suggested in testimony before the committee that perhaps a defect in your writing, if I may use that word charitably, in the sense of these proceedings, is not so much what you have said but what you didn't say. I am wondering—

Dr. LATTIMORE. Guilt by omission.

Mr. MORGAN. I am wondering, Dr. Lattimore, if you can guide us in our deliberations here, let us say, to any instance where you have criticized the Soviet Union's policies and its programs?

Dr. LATTIMORE. Well, I have said—I can't find the reference right away here—that the spread of direct Russian control in Asia would be a disaster for Asia; I can remember making criticisms, or statements, on the character of the history of China in the 1920's and 1930's that have been bitterly resented by the Communists.

Of course, it is a little bit difficult to say what is a criticism. Sometimes you get jumped on for saying something that you yourself thought was descriptive rather than a criticism.

Mr. MORGAN. Well, in view of the observation that I made a moment ago, I thought perhaps you would care to direct our attention to those instances, if you have them; if you don't, that, of course, is all right.

Mr. FORTAS. Mr. Morgan, we do have a collection of some quotes along those lines. I regret to say that we didn't bring them along. May we supply that for the record?

Mr. MORGAN. I am sure the committee will want them. Unless the chairman objects, you certainly may.

Senator GREEN. They will be admitted, if they are first presented to the chairman.

Mr. FORTAS. Yes.

Senator McMAHON. Dr. Lattimore, have you ever been denounced from Moscow?

Dr. LATTIMORE. Plenty of times, Senator.

Senator McMAHON. I have, too. Now, I have a very vivid recollection of the language that they used. I mean, I have got it right here [indicating]. I know what Mr. Molotov said about me and what Mr. Vishinsky said about me on a number of occasions. So I assume that you wouldn't have to do any research to tell us the language that was used, and the time of the announcement.

Dr. LATTIMORE. Senator, we haven't been quite in the same sort of positions. You have been in positions of extremely high responsibility in this country so that you would become the target of the biggest big guns. I have been in a position in which the criticism of me has come chiefly from Russian writers in political and economic journals, and so forth. But I have been accused of being virtually an agent of the Japanese imperialism; I have been called a libeler; I have been called "mad as Hamlet"; I have been called a lackey, a learned lackey of imperialism, and various things of that kind.

A great many of my publications, however, appear simply to have been ignored in Russia rather than lambasted. We political science writers of the West get a good deal of the cold shoulder treatment from the Russians. They don't handle a great deal of foreign literature in their journals, notices of it.

Now, if I were a writer on atomic energy I might attract more attention.

Senator McMAHON. I was going to say they gave him the cold shoulder and they thought they gave me the hot foot.

I wish, seriously, that you would identify each one of those expressions. I don't recall that you did in your statement. That may be an omission, in my opinion.

Dr. LATTIMORE. I think the most recent one was in an article in the Russian Historical Journal in 1949, the journal called Questions of History, and there they jumped all over me. I can supply that quotation.

Senator McMAHON. I wish you would for the record. Document each one.

Dr. LATTIMORE. Yes.

Mr. FORTAS. May I call attention to the fact that both in the original statement and in today's statement there are references to such comments, and in the original some of them are given with their source, but we will supply a complete list.

Senator McMAHON. Thank you. I think it would be well to have them all in one place; that is my point.

Mr. FORTAS. Fine, sir.

Senator GREEN. Had you finished, Mr. Morgan?

Mr. MORGAN. No, sir.

Now, Dr. Lattimore, at any time did you have a discussion with the president of Johns Hopkins University concerning your alleged association with the Secretary of the Communist Party in Baltimore?

Dr. LATTIMORE. No; that is, not that I can recall. You mean the previous president or the present one?

Mr. MORGAN. Either one.

Dr. LATTIMORE. Not that I can recall. I don't see why there should be any reason for it, because I don't think I ever met the secretary of the Communist Party in Baltimore.

Mr. MORGAN. As you can imagine, Dr. Lattimore, a great deal of information comes to the committee, and I am pursuing this line of inquiry based on such information. Do you have any recollection of any such correspondence?

Dr. LATTIMORE. To the best of my recollection—I may have been asked whether I knew him and said I didn't know him, and such a question would not remain in my mind—but to the best of my recollection I never had any conversation with him.

Mr. MORGAN. The suggestion was made that he had counseled with you to avoid such a meeting, but you don't recall any such meeting?

Dr. LATTIMORE. I don't recall such a meeting, and you can't avoid a meeting you never had.

Mr. MORGAN. To move along, Dr. Lattimore, in your original statement I notice you have made reference to certain parallels existing between the charges made by Mr. Kohlberg and Senator McCarthy. Now, as I stated earlier, I hope we are away from personalities now, and I would like to know, irrespective of where the charges might have come from, whether they are or are not true, and I refer specifically to one of these charges by Kohlberg, attributed to Kohlberg:

Lattimore told a friend, Freda Utley, in London in 1938 that he almost lost his job for publishing an article by Harold Isaacs.

Is that a true statement?

Dr. LATTIMORE. To the best of my recollection, it is not a true statement, and I don't see how I could possibly have made it, because I didn't nearly lose my job. The Russians made an awful row about my publishing an article but I stood my ground on it.

I have a statement here by Mr. Isaacs, dated April 5—

Senator GREEN. What year?

Dr. LATTIMORE. This year. [Reading:]

I am glad to make a simple statement of facts regarding the allusion to an article of mine published in Pacific Affairs in April 1935 under the editorship of Owen Lattimore.

Note that this is the year 1938, and I would not be likely to be nearly losing my job in 1936 over an article that had stood in print since 1935.

I might appropriately press this with the statement that I have often sharply disagreed with him on varying views, estimates, and analyses of far-eastern affairs made by Mr. Lattimore in his various books.

I was engaged in 1934-35 in Peking in research on the events of the Chinese Revolution of 1925-27, and the subsequent development of the Chinese Communist movement. Mr. Lattimore invited me to contribute an article presenting some of my findings for publication in Pacific Affairs. I wrote the article and it was duly published under the title "Perspectives of the Chinese Revolution: A Marxist View." This article was sharply critical of both Russia and the Comintern, and of the Comintern regime headed by Chiang Kai-shek. Following this publication, that issue of Pacific Affairs was, I was told, banned by both Chiang Kai-shek's government and the Russian Government. Mr. Lattimore was astonished and dismayed at this unexpected reaction to my article.

Since I was publicly known then, as now, as a critic of both the Comintern and Kuomintang, and since my research had concerned the validity of Leon Trotsky's criticism of Stalinism, it should be obvious that no pro-Stalinism editor would have invited an article from me.

Mr. MORGAN. Also in these charges, Dr. Lattimore, reference is made to your alleged association, at least at this point, with certain organizations, and on the record here I would like your statement concerning them: No. 1, the National Emergency Conference for Protection of Human Rights.

Were you associated with that conference?

Dr. LATTIMORE. To the best of my knowledge, this is the first time I ever heard of it.

Excuse me—

Mr. FORTAS. What was the name?

Mr. MORGAN. National Emergency Conference for the Protection of Human Rights.

Dr. LATTIMORE. No.

Mr. FORTAS. Mr. Morgan, I believe in previous testimony it was developed perhaps by the committee, that a Conference on Democratic Rights, in Baltimore, was sponsored by an organization which subsequently merged into the organization that you have just named, and I believe that accounts for the witness' confusion.

Mr. MORGAN. Were you associated with this organization, Dr. Lattimore?

Dr. LATTIMORE. No. This was called Conference on Democratic Rights, and I find on the back page that it was affiliated with the National Emergency Conference for Democratic Rights. This particular conference was held on June 14 and June 15, 1940, and I was asked to sponsor that particular meeting, which I did. I never was a member or sponsor of the organization. The organization, I believe, died in Baltimore, Md., the next year, 1941. It no longer existed. And this was, in any case, a good many years before the parent organization was declared subversive.

Mr. FORTAS. May I respectfully call attention to the fact that this was covered in the witness' first appearance upon cross-examination; that a photostatic copy of the document to which the witness has referred is in your records.

Mr. MORGAN. I think you are right.

I also believe we covered at that original meeting the Washington Committee to Aid China; didn't we?

Mr. FORTAS. I think we did.

Mr. MORGAN. Would you care to make an observation about that organization now, Dr. Lattimore.

Dr. LATTIMORE. The Washington Committee?

Mr. MORGAN. To Aid China.

Dr. LATTIMORE. I believe I spoke before that committee once at a church here in Washington, about, maybe, 1939 or early 1940. There was no reason whatever to believe that the organization was subversive, and I have never heard that, in fact, it was subversive. The same organization was addressed, for instance, by the well-known Chinese Bishop Paul Yu-pin.

Mr. MORGAN. Dr. Lattimore, there have been several references in the course of this proceeding to your writings. I want to go through several of these as quickly as we can, and I would appreciate your keeping your answers as short as possible consistent with answering the question.

In Solution in Asia, pages 93 and 94, published in 1945, you said [reading]:

The white terror, it should be pointed out, was as bad as the Red in the things done, and worse in the number of people to whom things were done. For every landlord or "bourgeois" killed, scores of peasants were slaughtered, tortured, or burned in their villages; untold numbers of peasant girls were sold into brothels and boys into bondage. In China, as Pilsudski's Poland, in the Baltic States, and in Mannerheim's Finland, the white terror was worse than the Red because in a peasant country revolution attempts to break the grip of a minority, while counterrevolution attempts to break the will of the majority.

Do you suggest here that the test for us should be not the moral righteousness of an act but the number of individuals who feel the impact of such act.

Dr. LATTIMORE. No; this is merely a factual statement of the nature of civil war and revolution in predominantly agricultural countries. The peasant revolutions and peasant rebellions and uprisings, all through history, not only in modern history, have been characterized by the extreme brutality of the slaughter on both sides; and statistically it apparently appears to be a constant phenomenon historically that numerically more peasants get killed.

Mr. MORGAN. In the same publication, on page 100, there is a statement which I would like your observation on, which has been referred to here. [Reading:]

This is the most positive step yet taken in China by any party away from dictatorship and toward democracy. It confirms the graduation of the Communists from being a perpetual minority opposition party to the status of a party which has good claims to a position within a coalition government.

Do you sincerely believe, Dr. Lattimore, that the Communists, in any percentage ratio in the governing bodies, will participate legitimately in a coalition government?

Dr. LATTIMORE. I think the answer to that question in 1950 is a good deal different to the answer in 1945. In 1945 it was true that the Communists in northwest China had an actual record—no question of possibility—they had an actual record of participating very well in combination political bodies, including Communists and non-Communists. That was a fact at that time.

Mr. MORGAN. On page 120 of that book you compared the Kuomintang China with Communist China. Then you quote unnamed newsmen as follows. You say [reading]:

The Communists have survived, and have even expanded the territory they control, not because they subdue the people by armed force but because the people support them.

Basic economic conditions as to food and clothing are better in Communist-controlled China than in Kuomintang-controlled China.

The incidence of conscription and taxation is more equally distributed in Communist-controlled territory than in Kuomintang-controlled territory.

Many progressive, educated, middle-class Chinese have somehow got through the blockade into Communist territory, but not many have fled from that territory.

The political structure under the Communists is more nearly democratic than it is under the Kuomintang.

Now, I notice these statements are attributed by you to newspapermen or others that reported that to you. Do you recall from whom these reports came to you?

Dr. LATTIMORE. I recall that in 19—I think late in 1944—for the first time American newsmen were allowed to go up to the Chinese Communist areas, and from that, from, I think, late 1944 and through 1945, and until well after the end of the war, in fact until the final breaking off of relations when American military observers were pulled out of the Communist areas, there was a steady contact of American newsmen going up to those areas. Some went on very short trips; others went on longer trips. I could look up the record of who went up there, but I don't recall offhand.

Mr. MORGAN. Does the fact that you quote the reports imply or indicate that you endorsed them, necessarily, Dr. Lattimore?

Dr. LATTIMORE. The fact that I quote the reports means that I took the reliability of the observations of those newspapermen seriously enough to print them under my own name with attribution to the fact that they were gathered by newspapermen and not by myself.

Mr. MORGAN. I don't like to take statements out of context, but to expedite this I am going to read a statement and then give you an opportunity to explain it. On page 139 of Solution in Asia you say [reading]:

So the fact that the Soviet Union also stands for democracy is not to be overlooked.

Now, we are back to our word "democracy" again. There is the apparent statement that the Soviet Union stands for democracy. Do you have an observation you care to make on that?

Dr. LATTIMORE. That statement is related to the preceding sentence on page 139—"In their eyes—rather doubtfully in the eyes of the older generation, more and more clearly in the eyes of the younger generation—the Soviet Union stands for strategic security, economic prosperity, technological progress, miraculous medicine, free education, equality of opportunity, and democracy."

In other words, "in their eyes," as stated in the previous paragraph from which this follows.

Mr. MORGAN. You are using the word "democracy" in the colonial sense?

Dr. LATTIMORE. I am using the word, what appears in the eyes of those people there, to be democracy.

Mr. MORGAN. Again in Solution in Asia, page 142, you say [reading]:

Outer Mongolia may be called a satellite of Russia in the good sense.

Would you care to elaborate on that?

Dr. LATTIMORE. Yes. "In the good sense." I will see what I have about it here. If I have it in print, there is no need to repeat it.

It is in the good sense, to the best of my knowledge, of Outer Mongolia, in that the satellite relationship between Outer Mongolia and Russia is not due to a Russian conquest; it is due to the free association. Those people never had any free institutions; but, as far as the association can be free in a society like that of the Mongols, it was a free association of Outer Mongolia with Russia, and it resulted not from the Mongols' thinking that the Russians were wonderful. "Let's tag after them"; but, as I have explained—I am not sure whether it is in this book, but elsewhere; I have frequently written on the subject—the Mongols had had such a raw deal from the Chinese, and were so badly scared by the presence of the Japanese in Manchuria, that not as a choice of the best, but as a choice of the less bad, they preferred to associate with Russia.

Mr. MORGAN. Perhaps you have also touched on the next statement that I want to refer to. Page 144 of the same book, in which you say [reading]:

Soviet policy in Outer Mongolia cannot be fairly called Red Imperialism.

Does the observation you have just made apply also to that statement?

Dr. LATTIMORE. That applies in exactly the same way.

Mr. MORGAN. Now, here is a statement, Dr. Lattimore, that I want to bring to your attention, in the light of an observation made a moment ago about this so-called guilt by association. On page 190 of your book, Solution in Asia, you say [reading]:

In the first interim government we should include political and parliamentary leaders still surviving who have a record of imprisonment or of being beaten up by political gangsters, or threatened with assassination. To protect them from terror we should include among war criminals all officers and civilians with proved associations of the Black Dragon type, who should be punished according to their guilt, with deportation and internment as the minimum.

There, I notice, you suggest that association with organizations such as the Black Dragon, on the part of Japanese, should be a basis for sanctions.

Would you care to comment on that in the light of your statement with respect to and regarding guilt by association?

Dr. LATTIMORE. I think that is a case, Mr. Morgan, of—what is the popular word now—"semantics"—and I think that the word "association" is used in this text here very differently from the use with which we are familiar when we speak of guilt by association in this country.

When I said proved associations, organizations like the Black Dragon, I meant proved participation in the activities of the Black Dragon Society, which was a terroristic society.

At that time I don't think this phrase "association" had acquired quite the flavor that it now has.

Mr. MORGAN. Going on, Dr. Lattimore—and, believe me, this is as hard on me as it is on you—in Solution in Asia, page 191 [reading]:

When Japan begins to show an ability to make progress politically, we must expect the leadership to be left of center and at least liberal enough to be friendly with Russia.

What do you mean by "liberal enough to be friendly with Russia"? Is it possible to be "liberal enough and friendly with Russia" without going all the way?

Dr. LATTIMORE. In 1945, Mr. Morgan, it certainly was. It happened all over the place.

Mr. MORGAN. Do you still feel that way about it, Dr. Lattimore?

Dr. LATTIMORE. Not so easy now.

Mr. MORGAN. Has your opinion changed, Dr. Lattimore?

Dr. LATTIMORE. My opinion has changed. The whole climate of international relations has deteriorated since 1945.

Mr. MORGAN. That brings us to another statement in Solution in Asia, page 199, in which you say [reading]:

The difficulty in dealing with Russia is not Russian policy, but the truly appalling lack of an American policy.

Do you still feel that way about it?

Dr. LATTIMORE. I feel that in 1945 we did have a lack of policy about what to do in China, Korea, Japan, that seemed to me appalling, and I think the results since then have shown that we were badly prepared in Asia for the situation that arose after 1945, and despite the outstandingly good work done by MacArthur in the occupation of Japan, by General Marshall in trying to salvage the situation in China, nevertheless, we did get into a mess.

Mr. MORGAN. With respect to the situation today, do you feel that our unpleasantness with the Soviet Union is the result of Russian policy, or of any policy that this country is now or has been projecting?

Dr. LATTIMORE. I think it is mainly due to the Russians themselves. I think, however, that it is also partly due to lack of policy or lateness of action, on our part. We have been a part of a steadily deteriorating situation which has produced a worse and worse atmosphere on both sides and has made it more and more difficult on both sides to get out of the kind of grouping of attitudes that we are in.

Mr. MORGAN. Dr. Lattimore—

Dr. LATTIMORE. I might elaborate on that point a little bit, though, because it is a part of a whole attitude of interpretation of modern international relations that I began to develop at this time in Solution in Asia and have developed further since, and that is that a great part of the deterioration of the international situation stems primarily not from Russian expansionism, and certainly not from what the Russians call American imperialism, it stems rather from the fact that the combined effect of the war in Europe and in Asia was a very serious weakening of what hitherto had been great powers, like England and France, and the weakening of these powers which had formerly held a strong position in Europe, and also a strong position in Asia, created a weakness in the general international structure, to deal with which inevitably both Russia and the United States took steps, but since these steps were not taken according to prior agreements they inevitably led to rivalry; but the cause lies primarily

in the weakening of what has been the great power structure of the world before the Second World War.

Mr. MORGAN. I believe you testified, Dr. Lattimore, that nowhere in your writings did you feel that you had ever referred to Chinese communism as merely agrarian radicalism, and I must say that while I have read rather exhaustively, I think, from your writings, I will say at this point that it has not been as easy to follow your writings as it was your statement.

I have found in the Virginia Quarterly Review of 1940, pages 164 and 165, a statement that I would like to have you comment on:

The question of China illustrates perfectly how we think about China with two quite different parts of our brain. On the one hand we take it for granted that there is practically no industrial proletariat in China, that the heavily agrarian structure in China makes it necessary for even the Chinese Communists to be agrarian radicals rather than true Communists, and that the Chinese family system is notably resistant to Marxist ideas. On the other hand we also take it for granted that the Chinese are incapable of looking after themselves and all it needs is a little excitement to turn them into raging hordes. What is more, the persons associated with the second set of ideas are usually potent enough to stampede the intelligence of those associated with the first set.

Now, this is a long way around the mulberry bush, but if I read this correctly the first set of ideas, which interpreted the Chinese Communists to be agrarian radicals, are the ideas to which you attach the intelligence associated with such thoughts.

Would you comment on that statement?

Dr. LATTIMORE. I haven't a text of that statement. Are you sure the first sentence does not apply to the lack of industrial proletariat? Yes; the question of intelligence, Mr. Morgan, refers to a group of ideas, that there is, perhaps, no industrial proletariat, that structure of society is heavily agrarian, that this structure makes it necessary for them to be agrarian radicals—in quotes. That was the current phrase at the time. It was not my phrase. That is why I used it in quotes. This question of true communism.

I don't remember whether later in that article I clarified these questions that are in quotes, but I should like to quote to you a recent—not so very recent—letter that I wrote in response to a private inquiry on the subject.

Somebody wrote to me, in 1948, and asked for my opinion on the subject, and I, on January 21, 1948, I wrote back [reading]:

The Chinese Communists are involved in a very wide movement of the Chinese people which in some ways is extremely complicated but in others is quite simple. The Chinese Communists themselves make no bones about the fact that they are complete and convinced Marxists. They do not pretend that they are simple agrarian radicals. On the other hand, the Chinese Communists who are Communists are vastly outnumbered by their allies who include all kinds of liberals, nationalists and democratically inclined people. As so often happens in human affairs, the majority of these people are fighting with the Communists, as though on the side of Communists, not because they are for communism but because they are more against the homeless Chinese Government than they are against communism.

Now, in 1940 the situation was the same. As I say, I speak without knowing whether in the full article I dealt with this other aspect of the matter or not. But the fact is that in 1940 the Chinese Communists were gaining ground politically by offering to meet the agrarian needs of an agrarian society.

That does not mean that they were converting themselves from Marxists to agrarians. It means that they were exploiting the condition that then existed.

Mr. MORGAN. Thank you. I am going to bring this to a head, to the relief of all of us, and, again, I think we have touched on it, but I would like to have in the record at this point your observations concerning what, quite frankly, to me, is, to a great extent, the crux of the situation here. That is, the advocacies, so far as you were concerned, with respect to the American position in the Far East, paralleling, to a degree, what most of us are inclined to believe were Soviet Russia's. I refer (1) to the thought of recognizing the Communist government in China today; the suggestion that we abandon Chiang and Formosa; the suggestion that we pull out of Korea, South Korea, insofar as we are in South Korea.

And again, I would like, at this point, for you to explain for me, and for the committee, if you can, by what process of reasoning you have arrived at these conclusions to which I have referred?

Dr. LATTIMORE. Mr. Morgan, the question of Formosa, and I believe South Korea, though many people differ with me on South Korea, is this kind of question: Let's take Formosa. It is the clearest example.

The situation in Formosa is not one that can be remedied. Looking at it as coldly as I can, I see no prospect whatever that a government, the remnants of a government which landed upon the island of Formosa, as the remnants of a process of collapse in China, are going to roll back from Formosa to China. It is a hopeless situation.

Nor does Formosa, in my opinion, have the makings of a nation. It certainly does not have the makings of a nation under this government which is not Formosian in character.

As a matter not of the policy I advocate, but the future that I predict, we are going to have to get out of Formosa, in the sense of abandoning any idea of maintaining, by American support, the present rump government in Formosa.

Now comes the question of what policy do you advocate. I think that if you are in a position that you are going to have to abandon, then you lose prestige, and suffer less moral damage if you show that you are able to abandon that position of your own accord, rather than wait until the situation is taken away from you.

Now, I think that the Communists, while they are, of course, protesting, with as much noise as they can make, about the connection between the American policy and the rump government on Formosa, are really hoping that we will stay there as long as possible. They would like to have us hang on; they would like to have us try to hang on to a position that can't be hung on to, because then, when we are finally pushed to let go, as they will represent it, they get a much bigger propaganda story out of it.

Mr. MORGAN. You feel that the Russians would like for us to try to hold on to Formosa?

Dr. LATTIMORE. I am sure they would, and the Chinese Communists, because they are sure we can't do it, and I think that in the long run we can't do it. The situation is something like this: At the time of the great defeat in France, when the British were left with just the remnant of an army on the beaches of Dunkirk, if the British

had responded to that situation and used every ton of shipping they could get to rush everybody from England on to the beach at Dunkirk, that would have delighted every Nazi agent in Britain; instead of which the British extricated themselves from a situation that was no longer tenable and used the resources, manpower, and whatever equipment they could save, extricated from the beaches of Dunkirk, to use successfully in the subsequent conduct of the war from Britain.

And I think that is the kind of situation we have in Formosa.

Now, in connection with these holding point positions, such as Formosa, Korea, Indochina, it seems to me that a grave defect of our policy at the present time is that so much of our resources, and so much of our emotion, is committed to these holding points, and I do not think we can make a successful policy in Asia out of holding points. The only reason for having a holding point is to do something in the spaces behind the holding point.

What we ought to have right now is a program with a lot of resources put into it and real drive behind it in countries like India, Pakistan, Indonesia, Afghanistan, the near eastern countries I don't know so much about, and I won't say anything about them, but if we can get going in those countries, before they themselves become holding points, programs which the people of those countries feel are for their own benefit, not being imposed upon them by America, but arrived at for reasons of mutual benefit, not only between them and America but between them, America, and western Europe, so that we coordinate our large-scale program in western Europe and south Asia, then we can get something going, then there will be a feeling of hope, and then this holding-point psychology will not longer be necessary.

At the present time anything put into Formosa is being frittered away. Anything put into India, Pakistan, Indonesia, has a chance of developing into a big, going concern, and I think it is a grave defect of our policy at the present time that so much attention is concentrated on these holding-point positions which cannot in any event be anything but temporary situations, and the main field of action is being neglected.

I was in India in December of last year, and talking with Indians I was tremendously impressed that the Indians had the feeling that the future of their country, what they were going to do now as an independent country, was a matter of tremendous urgency, and if the Americans were going to come in on it, then they better fish or cut bait—come in on it if they were, stay out if they were going to stay out.

The Americans, on the other hand, seemed to have the idea, "Well, let's see how this thing rocks along; after all, you aren't menaced right now; if we feel like it, we will see about some investment later on—something of that sort. They weren't regarding it as priority. They weren't regarding it as an emergency. They had no sense of urgency. And the situation in Asia, as a whole, is an urgent situation, and the urgency lies in the main features, and not in the detail.

Mr. MORGAN. I have two final questions, Dr. Lattimore.

Is it your feeling, therefore, that any advantages that might stem from the program you suggest would offset and overcome any disadvantages that might result from such a program with respect to, let us say, the Philippines and Japan?

Dr. LATTIMORE. The Philippines and Japan are two very different problems. The Philippine problem is going to be solved in the Philippines. The Philippines are islands off the coast of Asia. Formosa is an island off the coast of Asia, but the internal questions of nationalism, economy, ability to be a nation, and so forth, are utterly different in Formosa and in the Philippines. Japan is a different kind of question.

Japan is a Germany without a ruler. Japan is a country which has got to live by foreign trade, and no longer being an empire it has got to live by foreign trade on terms which it can negotiate, and not on terms which it can enforce, impose.

Mr. MORGAN. Dr. Lattimore, I want to ask you: Has the program which you have advocated with respect to China and the Far East been the result of your independent studies and thinking or are you seeking to project, on behalf of the Soviet Union, a policy in this area?

Dr. LATTIMORE. I think it is self-evident, Mr. Morgan, that that is not a program that can possibly be projected from Russia.

Mr. MORGAN. That is all.

Senator TYDINGS. Senator Hickenlooper.

Senator HICKENLOOPER. Dr. Lattimore, I have a number of questions to ask you.

First, I know Mr. Morris, the assistant counsel, has a number of questions to ask, and I ask that he be permitted to ask his questions, as assistant counsel of this committee.

Senator TYDINGS. If Mr. Morris will give me those questions, I will ask them as fast as he can write them.

Senator HICKENLOOPER. My suggestion is that Mr. Morris be permitted to do his own questioning.

Senator TYDINGS. We would like you to proceed now, if you please.

Senator HICKENLOOPER. That means that the committee action is that he is not permitted to ask the questions?

Senator TYDINGS. The committee took this up and decided against it, and I don't find I have the authority to override the committee—unless they give me the authority.

Senator HICKENLOOPER. Very well.

Dr. Lattimore, let me ask just this preliminary question. It may or may not have pertinence: Where was your mimeographed statement mimeographed? This statement that you read from this morning.

Mr. FORTAS. It was mimeographed by the office that does the mimeographing for us, the law firm of Arnold, Fortas & Porter.

Senator HICKENLOOPER. It was not mimeographed here on Capitol Hill?

Mr. FORTAS. Oh, no.

Dr. LATTIMORE. That is right; it was not.

Mr. FORTAS. Virginia Bowman. She would appreciate this advertising, Senator.

Senator HICKENLOOPER. That is perfectly all right. My question was inspired by a suggestion made to me this morning that it was mimeographed here on the Hill and I merely wanted to find out about it.

Mr. FORTAS. If anybody would like to have the bill, Senator, we would be glad to send it.

Senator HICKENLOOPER. Now, Dr. Lattimore, I believe you testified repeatedly, and I am not questioning that testimony at the mo-

ment, that you never met Mr. Budenz, formally, in your life; is that correct?

Dr. LATTIMORE. That is correct. Formally or informally, to the best of my recollection, I hope I never do.

Senator HICKENLOOPER. It is my recollection of your testimony that you said you had never seen him until he appeared here the other day, a few days ago, to give his testimony, when he originally appeared here?

Dr. LATTIMORE. To the best of my recollection I had never seen him before, and I sincerely hope I never see him again.

Senator HICKENLOOPER. And you never had any transactions, such as correspondence, or dealings with him, in any way, in the past?

Dr. LATTIMORE. Not that I can recall.

Senator HICKENLOOPER. Therefore you have never had any quarrels with him, or differences with him, of any kind in the past in which you and he might have been involved, some serious dispute of some kind; is that correct?

Dr. LATTIMORE. Nothing besides the little difference of his trying—

Senator HICKENLOOPER. I am leaving out the present testimony as an area of dispute.

Dr. LATTIMORE. That is something I am rather unwilling to leave out, Senator.

Senator HICKENLOOPER. I am attempting to ask you whether or not in the past, let's say prior to—

Dr. LATTIMORE. In the past, neither by conversation, correspondence, word of mouth, or telegram, can I put the faintest recollection of the man.

Senator HICKENLOOPER. I see.

Now, I think we are bound to be led to one of two, or perhaps three, conclusions with regard to this controversy in connection with Mr. Budenz about you—and these, of course, are alternative assumptions that one might make:

One assumption could be that Mr. Budenz is telling the truth when he charges that he learned officially that you were an instrumentality of the Communist Party. That could be one assumption.

Another assumption could be that he is not telling the truth when he makes that assertion.

Inasmuch as you have never had any association with Mr. Budenz, or any dispute with Mr. Budenz outside of the present dispute, if you can call it that, in this proceeding—that is, involving the McCarthy allegations, and so forth—inasmuch as you have never been acquainted with Mr. Budenz, can you ascribe or do you know of any reason why Mr. Budenz would lie about you or about the information which he alleges to be extant about you, which he claims he got in his official capacity?

Do you know of any reason why he would make these assertions if they are not true?

Dr. LATTIMORE. I should like to repeat, Senator, a passage from my statement this morning.

Senator HICKENLOOPER. What page?

Dr. LATTIMORE. Page B4. [Reading:]

Now, consider the kind of career that Budenz has been following for 5 years. He has made himself a sensational author and lecturer by exploiting his own

past. But the past is the past, and he must be haunted by the fact that his tales of skullduggery and conspiracy may grow stale through sheer repetition. Already there have been new sensational revelations by Government agents who have successfully infiltrated the Communist Party, and who have appeared at trials to give their testimony.

The pressure on Budenz is obvious. When a new sensation breaks out in the press and a man is accused—even if the accusation is false—what is the temptation that is dangled before him? It is the easiest thing in the world for his own memory to be convenient and obliging. He can then rush up and say "I remember him, too"—and thus revive his reputation as the peerless informant.

Senator HICKENLOOPER. Then, in short, do I understand you to advance the theory that Mr. Budenz did not necessarily originate this idea about you, but that after someone else had mentioned it, he then joined the pack and said, "I knew him, too"?

Dr. LATTIMORE. Mr. Senator, these allegations and charges against me are a tissue not only of lies but of recent lies.

Senator HICKENLOOPER. Dr. Lattimore, do I understand your position—

Dr. LATTIMORE. I am in a position where I can only deal with this kind of fantastic performance by exercising my intelligence upon it, and the best conclusion to which my reason leads me is that Budenz was activated by extremely sordid commercial motives of personal career.

Senator HICKENLOOPER. I am merely trying to establish, if there is to be established, some motive for Mr. Budenz if his statements should be false, reaching into thin air, as it were, and bringing your name into this controversy by way of allegation.

Dr. LATTIMORE. Personal profit is a motive which acts upon people in many ways, unfortunately; at times in extremely sordid and disgraceful ways, Senator.

Senator HICKENLOOPER. But I take it that you have no direct evidence that personal profit has induced him to name you in this controversy?

Dr. LATTIMORE. I have the evidence that Mr. Budenz pursues a spectacular career by lecturing and writing as an expert on all things Communist. He has been 5 years, presumably, cut off from his sources by the nature of the way in which he himself says that he left this conspiracy, and if he is running short of material, he appears to me, by his actions and words, to be the kind of man who will stoop to this kind of dirty work.

Senator HICKENLOOPER. Yes. Would you call that guilt by associations, Dr. Lattimore, that sort of analysis of why Mr. Budenz' actions, you conclude, are motivated by those things?

Dr. LATTIMORE. Guilt by Mr. Budenz' association with Mr. Budenz; yes.

Senator HICKENLOOPER. In other words, I take it that you are engaging then in assumption of what motivated Mr. Budenz by putting various speculations together and coming to a conclusion?

Dr. LATTIMORE. Mr. Senator, Budenz has tried to do to me things about as filthy as anyone who calls himself an American can do to another American. I am not going to attribute to him any charitable motive.

Senator HICKENLOOPER. I think you have made that very clear, Dr. Lattimore.

In an attempt to try and find out the facts in this case I am concerned about whatever proof there may be in existence, whether you may be able to supply it or whether someone else may be able to supply it.

First, as to whether or not Mr. Budenz is telling the truth in his testimony; if he is not telling the truth, what is the motivating influence for picking you out of the thin air, as it were, and naming you as the Communist functionary, according to his own words? That is what I am interested in.

Dr. LATTIMORE. I can see no motive, except Mr. Budenz's idea of Budenz's advantage.

Senator HICKENLOOPER. In other words, Mr. Budenz, according to that theory, could reach out and arbitrarily pick anyone and name them as a Communist functionary?

Dr. LATTIMORE. Mr. Senator, Budenz has been waving 400 undeclared names, which he may pin on anybody.

Senator HICKENLOOPER. Dr. Lattimore, you just returned from Afghanistan; did you not?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. You went there as a representative of the United Nations; is that correct? Just what was the capacity?

Dr. LATTIMORE. I went there as the head of what was called an exploratory mission for the United Nations technical aid program.

Senator HICKENLOOPER. Who paid the expense of that trip; that is, your expense?

Dr. LATTIMORE. United Nations.

Senator HICKENLOOPER. Did the State Department pay any part of that directly?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. It came directly from the United Nations?

Dr. LATTIMORE. Yes, sir.

Senator HICKENLOOPER. And in a recent trip last summer you were in Alaska; is that correct?

Dr. LATTIMORE. That is correct.

Senator HICKENLOOPER. Was that a private trip purely or did it have any official connections in any way?

Dr. LATTIMORE. I went on that trip to Alaska as deputy for President Bronk, of Johns Hopkins University, who is one of the directors of the Arctic Research Laboratory at Point Barrow.

Senator HICKENLOOPER. Now, that trip, were your expenses paid by the State Department?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Who was responsible for the expenses of that trip?

Dr. LATTIMORE. As far as I can recall the expenses were borne by the Arctic Research Laboratory.

Senator HICKENLOOPER. And who accompanied you on that trip?

Dr. LATTIMORE. Oh, there must have been a dozen people or so. The minutes are in the record, Senator.

Senator HICKENLOOPER. Was Mr. Stefansson, the explorer, with you on that trip?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. You are acquainted with Mr. Stefansson, are you not?

Dr. LATTIMORE. Yes, sir.

Senator HICKENLOOPER. I cannot pronounce his first name. If you were to tell me how to do it, I would appreciate it.

Dr. LATTIMORE. V-i-l-h-j-a-l-m-u-r.

Senator HICKENLOOPER. Mr. Stefansson has been quite active in the past several years in various political sociological activities, has he not?

Dr. LATTIMORE. I don't know, sir.

Senator HICKENLOOPER. Are you interested, you and Mrs. Lattimore, interested in any property with Mr. Stefansson?

Dr. LATTIMORE. We have joint ownership of a farm in Vermont.

Senator HICKENLOOPER. And where is the location of that farm?

Dr. LATTIMORE. Bethel, Vt.

Senator HICKENLOOPER. You have an undivided, you and Mrs. Lattimore have an undivided half interest in this farm, do you not?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. When did you acquire that?

Dr. LATTIMORE. Last summer, of 1949.

Senator HICKENLOOPER. Do you spend some time up there, or have you?

Dr. LATTIMORE. We spent a couple of months there last summer. I had some Mongols with me, from our research group at Johns Hopkins, and I was engaged there in taking down material from them, and in translation work from Mongol sources.

Senator HICKENLOOPER. Did Mr. Stefansson stay there at the time?

Dr. LATTIMORE. Mr. Stefansson was at his house part of the time; not the whole time.

Senator HICKENLOOPER. Well, it is your house as well as his; is it not?

Dr. LATTIMORE. No; he has a house on the property which belongs to him and there is an adjoining property, about a half mile away, through some woods, in which he has a half interest and we have a half interest, and the house in which we have a half interest is on that other property.

Senator TYDINGS. Are the two homes separate?

Dr. LATTIMORE. About a half mile apart.

Senator HICKENLOOPER. Is Mr. Stefansson the assistant director of the Arctic Institute of North America, do you know?

Dr. LATTIMORE. I believe he is; yes.

Senator HICKENLOOPER. Do you know the Chinese Tung Piwu?

Dr. LATTIMORE. No, sir; I don't believe I have ever met him.

Senator HICKENLOOPER. In that event, you have never had a meeting with him, and others, some years ago, 4 or 5 years ago.

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. At any place?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Now, I notice in your testimony, Mr. Lattimore, today, as I recall, the Budenz charges, as far as you know, were the first, as I understand your testimony, and if I am incorrect you may correct me, as I understand your testimony the Budenz charges against you were the first charges that you were aware of,

or the first insinuations that you were aware of as to any possible Communist connections that you might have; is that substantially correct?

Dr. LATTIMORE. Senator McCarthy came before Budenz and Kohlberg went pretty far before Senator McCarthy.

Senator HICKENLOOPER. Mr. Kohlberg's allegations, or whatever they were, were in connection with the Institute of Pacific Relations activities, is that correct?

Dr. LATTIMORE. Also in connection with me personally.

Senator HICKENLOOPER. I noticed on pages B 6 and 7 of your statement, in connection with the appearance of Mr. Whittaker Chambers before the House Un-American Activities Committee, that they questioned, Mr. Stripling questioned, Mr. Chambers about any acquaintance with you at that time?

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. I believe Mr. Chambers said that he had none, and I believe you testified, as I recall, that you had no acquaintance with Mr. Chambers.

Dr. LATTIMORE. I don't remember testimony—it may have been the first time I was here—in any case, no, no connection.

Senator HICKENLOOPER. Now, on page C 5 of your statement, I call your attention to the paragraph beginning in the middle of the page as follows [reading]:

And in the same period—

This is referring, as I understand it, to the Institute of Pacific Relations publication—

And in the same period we published at least 94 contributions out of the 250 that were definitely to the right of center.

Does that indicate, Dr. Lattimore, that the other 156 were to the left of center, the balance of the articles in this publication?

Dr. LATTIMORE. No, sir. The balance are articles that are on scientific or bibliographical or political, entirely colorless subjects.

Senator HICKENLOOPER. It is my recollection, Dr. Lattimore, that General Thorpe testified when he was before this committee that you saw classified documents when you were down at the last post of command where he was stationed; is that correct?

If I am not correct in my assumption, I wish you would correct me.

Dr. LATTIMORE. Yes, I recall his testimony on that subject, Senator, and I have not conferred with him on that subject, but to the best of my recollection when I was in Tokyo I went in several times to see General Thorpe, and to talk with him about various subjects. I don't think there is any harm in saying that subject on which I probably conferred with him in most detail was the fact that there were a number of Mongols in Japan who had been brought over by the Japanese before and during the war. General Thorpe apparently did not know about them, but I had known that they must be there because I had known something about the Japanese Mongol from the Mongol side before that. So I went in to urge him to get some of the Mongols down. At first I urged him to get hold of them. Then he made inquiry and found that they had all been segregated at a university up in northern Japan. Then I suggested that he get some down. He found out how many there were, and it was obviously too large a number to

bring all of them down, and I suggested to him the classification on which he should bring them down to Tokyo for interrogation, that classification being by region from which they came, tribal affiliation, and that kind of thing. This was done eventually but only after I left Japan, because the airfield where they were was snowed in.

Now, in connection with that kind of question and other questions, he may have shown me classified documents, but I can't, I confess that I cannot recall any single classified document shown to me, or even whether classified documents were shown to me. It may be that I was cleared in his department as a person to whom classified documents could be shown, and yet no occasion came up for showing them, and, therefore, I wasn't shown any. But my memory is not entirely clear on the subject.

Senator HICKENLOOPER. Dr. Lattimore, did you ever urge or recommend to an official of the American Government that the United States recognize the independence and sovereignty of Mongolia after it had set up its, as you referred, I believe, a while ago, its de facto independence from China?

Dr. LATTIMORE. Well, I have recommended in books that outer Mongolia should be recognized, and I may have recommended it in that memorandum of August 1949, but I can't recall any other occasion.

Senator HICKENLOOPER. Do you recall whether or not you, or would you say whether or not you strongly represented that in, let's say, the late thirties, the then recognition by the United States of the independence and sovereignty of Mongolia—I don't know whether you would refer to it as Outer Mongolia.

Dr. LATTIMORE. That is the general term. I can't recall it.

Senator HICKENLOOPER. Would you say that you had not so recommended?

Dr. LATTIMORE. No, I might have. I don't recall any occasion on which I did so.

Senator HICKENLOOPER. When was it that the Russian secret police and political police moved into Outer Mongolia and actually took over the physical control, and by that I don't mean that they put their own persons in the elective offices, but the secret police and the enforcement branch from Russia, moved in and took over the practical control of Outer Mongolia?

Dr. LATTIMORE. I don't know, sir. In fact, I don't know if they have that kind of control in Outer Mongolia today. It is a subject on which I work continuously accumulating information as best I can, but I don't have the positive answer.

Senator HICKENLOOPER. Wasn't there a time around 1935 or 1936, the dates of which I cannot specifically place, when there was reported a so-called revolutionary activity in Outer Mongolia which set up some new officials there and changed the complexion of the then existing government?

Dr. LATTIMORE. There was a time—Let's see how close I can date it—about 1931, 1932, along in there, when there was a year of rather acute trouble in outer Mongolia, the nature of which was that they attempted their move considerably to the left of where they had been, and then decided that was a bad move, and moved back over toward the right of center.

Senator HICKENLOOPER. Wasn't there a disturbance, or revolution in Outer Mongolia in the thirties in which the Russian secret police and other Russian secret forces, that is nonuniformed forces, I might say, moved in and after a certain blood purge succeeded in getting people friendly to them established in the Government of Outer Mongolia?

Dr. LATTIMORE. I don't know, sir. There was a Mongolian purge after this leftward move that failed. Whether that Mongol purge was conducted by Russia or at the instigation of the Russians, I don't know. In 1924 there was a much bigger change of regime in Outer Mongolia, and most Mongols attribute the beginning of stronger Russian influence to that period.

Senator HICKENLOOPER. Dr. Lattimore, did you ever address an organization in Washington known as the Washington Book Shop, or make addresses up there under your sponsorship?

Dr. LATTIMORE. Not that I recall, sir.

Senator HICKENLOOPER. Did you speak before a Washington committee to aid China which was sponsored by the American League for Peace and Democracy about 1941?

Dr. LATTIMORE. About, I think, a little earlier than that, 1939 or 1940, I spoke at a committee for the—a meeting in a church somewhere here in Washington, sponsored by the Washington Committee for Aid to China, but I do not believe that they—what was that other committee?

Senator HICKENLOOPER. American League for Peace and Democracy.

Dr. LATTIMORE. I don't believe that was the sponsor.

Senator HICKENLOOPER. After Philip Jaffe was arrested in the Am-erasia case, did you furnish any character references for Mr. Jaffe?

Dr. LATTIMORE. I don't believe so. I haven't seen Mr. Jaffe since about 1940 or 1941.

Senator HICKENLOOPER. Do you think that you would recall if you had furnished character references for him?

Dr. LATTIMORE. I should think I would; yes.

Senator HICKENLOOPER. And so far as you recall, you did not?

Dr. LATTIMORE. As far as I can recall, I did not.

Senator HICKENLOOPER. You were in China in June of 1937, were you not?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. And you were in Yunan at that time?

Dr. LATTIMORE. About then; yes.

Senator HICKENLOOPER. You made a trip to Yunan.

Dr. LATTIMORE. It was in June, I think.

Senator HICKENLOOPER. How long was the duration of that trip?

Dr. LATTIMORE. Oh, I forget how long the total duration of the trip was overland to Yunan; we spent, I think, 3 or 4 days in Yunan—and, by the way, Mr. Chairman, I have just discovered the notebook that I kept while I was in Yunan. I would like to submit it as an exhibit to show the routine nature of the interviews, on which I took notes, and the routine nature of the notes indicates why I didn't feel that there was anything that I could publish after such a trip.

Senator TYDINGS. You are just lending it to us for reference?

Dr. LATTIMORE. I should like to have it back for my files, if I may.

Senator HICKENLOOPER. On this trip to Yunan, Dr. Lattimore, you were accompanied by Philip Jaffe and by T. A. Bisson, or either of them?

Dr. LATTIMORE. Both of them, sir. I think there was a fairly complete account of that in my first statement, Senator.

Senator HICKENLOOPER. Did you know Gerhart Eisler in China?

Dr. LATTIMORE. No, sir; nor anywhere else.

Senator HICKENLOOPER. Referring to Gerhart Eisler, is it possible that he could have gone under any other name where his identity might have become known to you later as Gerhart Eisler?

Dr. LATTIMORE. I doubt it, Senator. I never knew that Gerhart Eisler had been—who he was, or that he had been in China—until I saw the newspaper accounts here, and, as I recall from those newspaper accounts, he was in South China, where the Communists and Kuomintang united front of that period was operating, and at that time I was traveling across Mongolia and central Asia.

Senator HICKENLOOPER. Did a man by the name of Loomis, a man who went under the name of Loomis, at least, ever arrange to furnish information supplied by you to Moscow in Soviet diplomatic pouches, the Soviet diplomatic pouch?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. I believe you were in Yokohama in 1934, were you not?

Dr. LATTIMORE. Yokohama, 1934? I may have passed through Yokohama, probably did pass through Yokohama on the way back from America to China in 1934; yes. I don't remember any Loomis, though.

Senator HICKENLOOPER. Sir?

Dr. LATTIMORE. I don't remember any Loomis there.

Senator HICKENLOOPER. The Loomis had nothing to do with this particular question.

The trip was made by boat?

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. Was Agnes Smedley along on the boat on that trip?

Dr. LATTIMORE. She was on that boat; yes.

Senator HICKENLOOPER. She made the trip from this country to Yokohama then at the same time?

Dr. LATTIMORE. I don't remember whether she made the trip from this country or joined the boat in Yokohama. Let me see now. I was on that boat for part of the time with her but not the whole trip.

Incidentally, that was the first time I had met her and the trip was not by prearrangement.

Senator HICKENLOOPER. Dr. Lattimore, do you know a person by the name of Miyagi Yotoku?

Dr. LATTIMORE. Not that I can recall. My memory for Japanese names is not as good as my memory for Chinese names but that sounds completely strange to me.

Senator HICKENLOOPER. Dr. Lattimore, did Mrs. Lattimore, your wife, lecture before the Tom Mooney School in California?

Dr. LATTIMORE. You will have to ask her, sir; she is right here.

Can't recall it, she says.

Senator HICKENLOOPER. And you no knowledge of your own as to whether or not she did?

Dr. LATTIMORE. No; I haven't, Senator.

Senator HICKENLOOPER. Dr. Lattimore, we discussed for a moment, on your previous appearance here, the matter of the picnic at your place, I believe, in Maryland, outside of Baltimore, at the time the arrests were made in the Amerasia case, perhaps a day or so before that, and that at that time, do I recall correctly, that you said Mr. Roth was there?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. Is he married, and if so, was his wife there?

Dr. LATTIMORE. No; I don't think his wife was there.

Senator HICKENLOOPER. And was Phillip Jaffe there?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Was John Service there?

Dr. LATTIMORE. He was there.

Senator HICKENLOOPER. The purpose of their visit at your house, in addition to attending a picnic, I believe you said, was to examine the manuscript, or some book in preparation that one of them was writing?

Dr. LATTIMORE. Mr. Roth was going through the galley proofs of his book, Dilemma in Japan, and as a good deal younger man, writing—I am not sure that it was his first book—yes; I think it was his first book—I am not sure, but as a younger author, he very flatteringly asked me if I would look at the galleys and make any suggestions that could be made at the galley proof stage, and so on.

Senator HICKENLOOPER. And Mr. Service, what was his connection with the meeting?

Dr. LATTIMORE. Mr. Service, as I have been saying this afternoon, was a friend of a good many years, I had seen something of him in Chungking, he had been back in Washington for some time, I don't recall just how long, and it was the first chance to offer him hospitality, so my wife and I asked him to come over.

Senator HICKENLOOPER. And he was not there for the purpose of examining the galley proofs of this book?

Dr. LATTIMORE. He may have looked at the galley proofs, being a foreign service officer, specializing in the Far East he could have been expected to be interested, but I don't recall whether he did or not.

Senator HICKENLOOPER. And he did not bring or take away the galley proofs, is that true, or did Mr. Roth do that?

Dr. LATTIMORE. Not that I can recall, sir. The only galley proofs I saw were Mr. Roth's.

Senator HICKENLOOPER. I will hand you, merely to refresh your recollection, if possible, a tear sheet from the paper The People's World, Wednesday, April 28, 1943. I call your attention to an advertisement that appears on page 3 of that paper as the tear-sheet shows, headed San Francisco, and in a box "Lecture by Mrs. Owen Lattimore, China and the War, Friday, April 30, 8 p. m., Tom Mooney Labor School, 678 Turk Street, Admission 50 Cents."

I will hand you that for your reference, to see whether or not it may refresh your recollection, or that of Mrs. Lattimore.

Dr. LATTIMORE. She says that she could have. She talked at a great many places in those years.

May I ask, Senator, if there is any reason why anyone should not speak at the Tom Mooney School; is there anything sinister about it?

Senator HICKENLOOPER. I hadn't suggested any, one way or the other, Dr. Lattimore, I am merely asking as to facts.

Did you ever know or meet Richard Sorge?

Dr. LATTIMORE. No. I don't recall ever meeting him, and I don't think I could have.

Senator HICKENLOOPER. You know to whom I refer?

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. He was the subject of an investigation and report on espionage activities in the Orient.

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. If I may have returned that tear sheet, if you are through with it.

Now, do you know whether or not the People's World is one of the official publications of the Communist Party, or was in 1943?

Dr. LATTIMORE. I couldn't tell you, Senator.

Senator HICKENLOOPER. On your visit to Yunnan that we mentioned a moment ago, I take it you had been in Yunnan before?

Dr. LATTIMORE. No, sir; I had never been there before.

Senator HICKENLOOPER. In your life in China?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Did you have anything to do with the arrangement for Edgar Snow's trip into Communist territory in connection with securing necessary information for his book or writings on Red Star Over China?

Dr. LATTIMORE. No, sir; I didn't even know about it, the preparations for it.

Senator HICKENLOOPER. On your trip to Yunnan, did you lecture, or make any addresses, address or addresses to Chinese Communist troops?

Dr. LATTIMORE. I made one speech, or partial address. They had an open air meeting for hospitality to the visiting group, and I spoke there, rather briefly, in the open air.

Senator HICKENLOOPER. Do you know Harriet Lavine Chi?

Dr. LATTIMORE. I used to know her many years ago, yes.

Senator HICKENLOOPER. Is she not the present proposed delegate to the United Nations of the Chinese Communists?

Dr. LATTIMORE. She is or was the wife of Chao-Ting Chi, yes. I don't know whether they are still married or not.

Senator HICKENLOOPER. And he is the man who is either now here or waiting the action of the United Nations to become the delegate for the China government of the Communists?

Dr. LATTIMORE. So I hear, yes.

Senator HICKENLOOPER. Harriet Lavine Chi was at one time your secretary, was she not?

Dr. LATTIMORE. She worked for, I think, something like a week, as my secretary, a week, or it may have been two weeks, in the summer of 1936, when the preparations were being made for the 1936 conference of the Institute of Pacific Relations, and we had a number of temporary secretaries and stenographers.

Senator HICKENLOOPER. That is the only time she was ever employed by you or worked with you!

Dr. LATTIMORE. She was not employed by me.

Senator HICKENLOOPER. She was employed to work for you!

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. I do not mean necessarily that you paid her.

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. Was that the only time that she ever performed any work for you?

Dr. LATTIMORE. That is the only time I recall.

Senator HICKENLOOPER. Is she Philip Jeffe's niece?

Dr. LATTIMORE. I don't know, sir.

Senator TYDINGS. Dr. Lattimore, the hour is getting pretty late, and you have had a pretty long session. I wonder if it wouldn't be convenient for you to be here at 10:15 tomorrow morning?

Dr. LATTIMORE. If you so desire, sir.

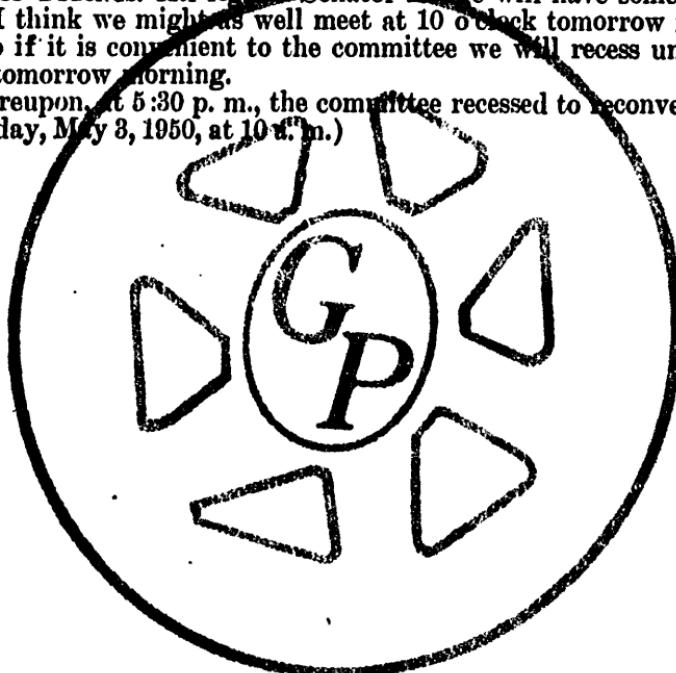
Senator HICKENLOOPER. I have a great many more questions that I want to ask. I don't care to hold the committee here.

Senator TYDINGS. Senator Hickenlooper has some other questions he would like to ask; so I think we might make it at 10 tomorrow morning, so that we can get back on our other schedule.

Senator LODGE. Let me say, if the decision not to permit any questioning in executive session is adhered to, I would be constrained to ask some questions myself.

Senator TYDINGS. All right. Senator Lodge will have some questions. I think we might as well meet at 10 o'clock tomorrow morning. So if it is convenient to the committee we will recess until 10 o'clock tomorrow morning.

(Whereupon, at 5:30 p. m., the committee recessed to reconvene on Wednesday, May 8, 1950, at 10 a. m.)



STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, MAY 3, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to an adjournment taken on May 2, 1950, at 10 a. m., in the caucus room, room 318, Senate Office Building, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Senator Knowland; Edward P. Morgan, chief counsel for the subcommittee; and Robert Morris, assistant counsel for the subcommittee.

Senator TYDINGS. The committee will come to order.

While we are waiting to get started, I have written to General Marshall, Cordel Hull, Secretary Byrnes, and Secretary Acheson, inquiring of each of them, in identical or similar letters, what influence Mr. Lattimore had on the far eastern policy, and whether he was the chief architect on the State Department's far eastern policy.

Each of them replied and I would like to have these inserted in the record, both my letters and the replies thereto.

APRIL 17, 1950.

Gen. GEORGE C. MARSHALL,
American Red Cross, Washington, D. C.

DEAR GENERAL MARSHALL: It has been stated by Senator McCarthy during the course of the hearings now being held by the subcommittee of the Senate Foreign Relations Committee under Senate Resolution 231, that Mr. Owen Lattimore is "the principal architect of our far eastern policy."

It is important for our committee to determine the truth of this contention for whatever bearing it may have on other evidence adduced in the Lattimore matter. For that reason, I would appreciate it greatly if you would inform me at your earliest possible convenience of the extent to which, in your opinion, Dr. Lattimore was "the principal architect of our far eastern policy" or the extent that Dr. Lattimore influenced our far eastern policy during the period in which you were Secretary of State.

I am addressing a similar letter to Secretary Acheson, Mr. Hull, and Mr. Byrnes.

Thanking you for your kindness in giving the committee this information, I am very respectfully,

PINEHURST, N. C., April 22, 1950.

MY DEAR SENATOR TYDINGS: I have received your letter of April 17 in which you refer to a recent statement, in connection with the hearings of the Subcommittee on Foreign Relations under Senate Resolution 231, that "Owen Lattimore

is the principal architect of our far eastern policy." Your letter then asks the extent to which, in my opinion, "Lattimore was the principal architect of our far eastern policy" during the period in which I served as Secretary of State.

The statement referred to above is completely without basis in fact.

So far as I and my associates can recall, I never even met Mr. Lattimore.

I take the liberty of commenting on the harmful effect on our foreign relations of such statements, charges, or insinuations broadcast with so little regard for the truth. They undoubtedly confuse our friends abroad, undermine and weaken our position before the world, and actually lend assistance to the powers that would destroy us.

Faithfully yours,

G. C. MARSHALL.

APRIL 17, 1950.

Hon. CORDELL HULL,

Wardman Park Hotel, Washington, D. C.

DEAR MR. HULL: It has been stated by Senator McCarthy during the course of the hearings now being held by the Subcommittee of the Senate Foreign Relations Committee under Senate Resolution 231, that Mr. Owen Lattimore is "the principal architect of our far eastern policy."

It is important for our committee to determine the truth of this contention for whatever bearing it may have on other evidence adduced in the Lattimore matter. For that reason, I would appreciate it greatly if you would inform me at your earliest possible convenience of the extent to which, in your opinion, Dr. Lattimore was "the principal architect of our far eastern policy," or the extent that Dr. Lattimore influenced our far eastern policy during the period in which you were Secretary of State.

I am addressing a similar letter to Secretary Acheson, Mr. Byrnes, and General Marshall.

Thanking you for your kindness in giving the committee this information, I am very respectfully,

WASHINGTON, D. C., April 20, 1950.

Hon. MILLARD E. TYDINGS,

United States Senate.

MY DEAR SENATOR TYDINGS: I have your letter of April 17 in which you inquire concerning the extent to which, in my opinion, Dr. Owen Lattimore was "the principal architect of our far eastern policy" or the extent he influenced our far eastern policy while I was Secretary of State.

In my opinion, he was in no sense the "principal architect" of our far eastern policy during the period I served as Secretary of State. Although his position in academic circles as a student of and writer on some aspects of Chinese life and history was, of course, known to us, I am not aware that during this period he had any appreciable influence on our far eastern policy. I do not remember having consulted with him on that subject or on any subject at any time.

Sincerely yours,

CORDELL HULL.

APRIL 17, 1950.

Hon. JAMES F. BYRNES,

Spartanburg, S. C.

DEAR MR. BYRNES: It has been stated by Senator McCarthy during the course of the hearings now being held by the subcommittee of the Senate Foreign Relations Committee under Senate Resolution 231, that Mr. Owen Lattimore is "the principal architect of our far eastern policy."

It is important for our committee to determine the truth of this contention for whatever bearing it may have on other evidence adduced in the Lattimore matter. For that reason, I would appreciate it greatly if you would inform me at your earliest possible convenience of the extent to which, in your opinion, Dr. Lattimore was "the principal architect of our far eastern policy," or the extent that Dr. Lattimore influenced our far eastern policy during the period in which you were Secretary of State.

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I am addressing a similar letter to Secretary Acheson, Mr. Hull, and General Marshall.

Thanking you for your kindness in giving the committee this information, I am

Very respectfully,

SPARTANBURG, S. C., April 24, 1950.

Hon. MILLARD E. TYDINGS,
United States Senate, Washington, D. C.

DEAR MILLARD: I have your letter of the 17th asking the extent to which, in my opinion, Mr. Owen Lattimore was "the principal architect of our far-eastern policy" or the extent he influenced our far-eastern policy during the period I was Secretary of State.

I do not know Mr. Lattimore. If he ever wrote me about the far-eastern policy the letter was not called to my attention. If, while I was Secretary of State, he discussed our far-eastern policy with any officials of the Department concerned with that policy, in their discussions with me they did not quote him.

Early in December 1945 Gen. George C. Marshall went to China and thereafter his reports to the President and me influenced our policies in China and the Far East. I do not think General Marshall was influenced by Mr. Lattimore.

To my former colleagues, I take the liberty of adding that, regardless of the merits of complaints as to what has heretofore occurred, the President and the Secretary of State have given proof of their desire to restore the bipartisan policy in our foreign affairs, and I earnestly hope the Members of the Senate will cooperate in that effort.

While I was Secretary of State I found I could talk to Senator Vandenberg with the same freedom with which I talked to Sen. Connally and to my assistants, and I profited by his advice. I am sure that in his absence other Republican Senators will cooperate just as did Senator Vandenberg. It is extremely important at this time, in view of the tenseness of the situation in world affairs, that we do not give to either our friends or enemies abroad the false impression of a serious division among us in our policies as to the Soviet Government. Seldom in history have our people been so united on any issue.

I hope that, regardless of our differences on domestic issues, our political leaders can present a united front in our foreign relations.

Sincerely yours,

JAMES F. BYRNES.

APRIL 17, 1950.

Hon. DEAN ACHESON,
Secretary of State,
Department of State, Washington, D. C.

DEAR MR. SECRETARY: It has been stated by Senator McCarthy during the course of the hearings now being held by the subcommittee of the Senate Foreign Relations Committee under Senate Resolution 231, that Mr. Owen Lattimore is "the principal architect of our far-eastern policy."

It is important for our committee to determine the truth of this contention for whatever bearing it may have on other evidence adduced in the Lattimore matter. For that reason, I would appreciate it greatly if you would inform me at your earliest possible convenience of the extent to which, in your opinion, Dr. Lattimore was "the principal architect of our far-eastern policy," or the extent that Dr. Lattimore influenced our far-eastern policy during the period in which you have been Secretary of State.

I am addressing a similar letter to Mr. Hull, Mr. Byrnes, and General Marshall. Thanking you for your kindness in giving the committee this information, I am

Very respectfully,

APRIL 27, 1950.

Hon. MILLARD E. TYDINGS,
United States Senate.

MY DEAR SENATOR TYDINGS: In a letter dated April 17, 1950, you asked that I inform you of the extent to which, in my opinion, Mr. Owen Lattimore was the

"principal architect of our far eastern policy," or the extent to which he influenced our far eastern policy during the period in which I have been Secretary of State. On April 17 Mr. Peurifoy, Deputy Under Secretary of State, wrote you in full detail concerning Mr. Lattimore's connections with this Department in the past. The far eastern policy of this Government, like all other foreign policy, is the responsibility of the Secretary of State and has been made by me in my administration, subject, of course, to the direction of the President. I welcome this opportunity to state personally and categorically that during the period in which I have been Secretary, Mr. Lattimore, so far as I am concerned or am aware, has had no influence in the determination of our far eastern policy. There is clearly no basis in fact for describing Mr. Lattimore as the "principal architect" of our far eastern policy. I might add that, so far as I am aware, I have never met Mr. Lattimore.

The far eastern policy of the United States has at all times been determined after careful study by the responsible officers of the Department and an objective evaluation by me of all of the facts available to this Government. The Department of State has explored all avenues to arrive at the relevant facts. The measure of the participation of Mr. Lattimore, so far as this Department and I am concerned, is fully and fairly indicated in the letter of April 17 from Mr. Peurifoy.

Sincerely yours,

DEAN ACHESON.

APRIL 17, 1950.

Hon. MILLARD E. TYDINGS,
United States Senate.

MY DEAR SENATOR TYDINGS: Following Senator McCarthy's statement on March 21 that a top Russian espionage agent, whom he privately identified as Mr. Owen Lattimore, was an employee or consultant of the State Department, I submitted to your subcommittee a brief statement of Mr. Lattimore's connections with this Department, as revealed by a careful check of our personnel records. Since Mr. Lattimore has been publicly identified and since there has been considerable public discussion concerning his relationship with the Department, it is now appropriate to give in greater detail the instances of connections between Mr. Lattimore and the Department. Without any intention of reflecting on Mr. Lattimore and for the purpose of setting the record straight, I believe I should state that Mr. Lattimore does not have a desk in the Department of State nor access to its files, and is neither an employee nor a top adviser of the Department. These are the facts:

On October 15, 1945, Mr. Owen Lattimore was appointed as an economic adviser to the United States Reparations Mission to Japan. He served with the mission until February 12, 1946. While on this assignment he was paid out of the Department's international conferences funds.

Mr. Lattimore was 1 of 28 persons to lecture on a program known as Meet the Public, which was given at the Department's Foreign Service Institute. He gave one lecture on June 5, 1946. This program was initiated by the Department's Office of Public Affairs and was designed to bring before departmental personnel the viewpoints of various persons who were working on, or interested in, foreign affairs. In this capacity, Mr. Lattimore was not an employee of the Department and received no remuneration. The following were the speakers on this program:

- Senator J. William Fulbright
- Mr. Ernest K. Lindley, chief of the Washington bureau of Newsweek
- Senator Warren Austin
- Dr. Arthur Compton, chancellor of Washington University, St. Louis.
- Mr. Charles Bolte, chairman of the American Veterans' Committee.
- Congressman Jerry Voorhis.
- Prof. Owen Lattimore, director of the Walter Hines Page School of International Relations, Johns Hopkins University.
- Prof. Frederick L. Schuman, Willingboro College.
- Mr. Herbert Elliston, editor of the Washington Post.
- Mr. Eugene Meyer, president of the International Bank for Reconstruction and Development.
- Dr. Jacob Viner, professor of economics, Princeton University.
- Dr. Harold Lasswell, professor of law, Yale University.
- Mr. Wallace Deuel, editor of the Chicago News.
- Senator Wayne Morse.

Mr. Thomas K. Finletter, vice chairman of Americans United for World Government, Inc.

Mr. James M. Landis, chairman of the Civil Aeronautics Board.

Mrs. Vera Micheles Dean, editor and research director of the Foreign Policy Association.

Mr. Kermit Eby, director of education and research, Congress of Industrial Organizations.

Mr. Hamilton Owens, editor of the Baltimore Sun (and Sun papers).

Prof. Frank Tannenbaum, Columbia University.

Mr. Gardner Murphy, American Psychological Association.

Rev. Edmund A. Walsh, vice president of Georgetown University and regent of the School of Foreign Service.

Mr. David Lawrence, editor of the United States News and of the World Report.

Mr. Robert Watt, international representative of the American Federation of Labor.

Mrs. Eleanor Roosevelt.

Dr. Dexter Perkins, professor of Latin-American affairs, University of Rochester.

Congressman Mike Mansfield.

Dr. James P. Baxter, president of Williams College.

On October 6, 7, and 8, 1949, Mr. Lattimore, following preliminary correspondence with the Department of State, was one of a group of 25 private individuals participating in a round-table discussion arranged by the Office of Public Affairs for the purpose of exchanging views on United States foreign policy toward China. As a member of this group, Mr. Lattimore was not an employee of the Department and received no compensation but was reimbursed for expenses. This round-table discussion followed a solicitation of written views on the same topic from a larger group in response to which the written views of 31 private individuals were received and analyzed. Some of the members, including Mr. Lattimore, were in both groups. Both the written views received and the transcript of the round-table discussions were made available as some of the background material for consideration by Mr. Raymond B. Fosdick, Mr. Everett Case, and Ambassador Jessup, who had been requested by the Secretary to review United States policy toward the Far East. The 31 who expressed views initially in writing were:

Former Consul General Joseph W. Ballantine, now at Brookings Institution.

Prof. Hugh Morton, Columbia University.

Former President Isaiah Bowman, Johns Hopkins University.

Dr. A. J. Brumbaugh, American Council on Education, Washington.

Former Ambassador William Bullitt.

Former Under Secretary Castle.

Former Consul John A. Embry.

Prof. Rupert Emerson, Harvard University.

Dr. Charles B. Fahs, New York City.

Prof. John K. Fairbank, Harvard University.

Dr. Huntington Gilechrist, New York City.

Prof. Carrington Goodrich, Columbia University.

Former Under Secretary Grew.

Col. Robert A. Griffin, former Deputy Administrator, ECA, China.

Former Ambassador Stanley K. Horubec.

Roger Lapham, former Administrator, ECA, China.

Prof. Kenneth S. Latourette, Yale University.

Prof. Owen Lattimore, Johns Hopkins University.

Oliver C. Lockhart, Export-Import Bank of Washington.

Walter H. Mallory, Council on Foreign Relations.

Prof. Wallace Moore, Occidental College, Los Angeles.

Prof. Edwin O. Reischauer, Harvard University.

C. A. Richards, Economic Cooperation Administration.

Former Minister Walter S. Robertson, Richmond, Va.

Dr. Lawrence K. Rosinger, New York City.

Mr. James Rowe, Washington.

Mrs. Virginia Thompson (Adloff), New York City.

Prof. Amry Vandenberg, University of Kentucky.

Prof. Karl A. Wittfogel, Columbia University.

Prof. Mary Wright, Stanford University.

Admiral Yarnell.

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The 25 who attended the round-table discussions were:

- Joseph W. Ballantine, the Brookings Institution, Washington, D. C.
Bernard Brode, Department of International Relations, Yale University, New Haven, Conn.
Claude A. Buss, Director of Studies, Army War College, Washington, D. C.
Kenneth Colegrove, Department of Political Science, Northwestern University, Evanston, Ill.
Arthur G. Coons, president, Occidental College, Los Angeles, Calif.
John W. Decker, International Missionary Council, New York, N. Y.
John K. Fairbank, Committee on International and Regional Studies, Harvard University, Cambridge, Mass.
William R. Herod, president, International General Electric Co., New York, N. Y.
Arthur N. Holcombe, Department of Government, Harvard University, Cambridge, Mass.
Benjamin H. Kizer, Graves, Kizer & Graves, Spokane, Wash.
Owen Lattimore, director, Walter Hines Page School of International Relations, Johns Hopkins University, Baltimore, Md.
Ernest B. MacNaughton, chairman of the board, First National Bank, Portland, Ore.
George C. Marshall, president, American Red Cross, Washington, D. C.
J. Morden Murphy, assistant vice president, Bankers Trust Co., New York, N. Y.
Nathaniel Peffer, department of public law and government, Columbia University, New York, N. Y.
Harold S. Quigley, department of political science, University of Minnesota, Minneapolis, Minn.
Edwin O. Reischauer, department of far eastern languages, Harvard University, Cambridge, Mass.
William S. Robertson, president, American & Foreign Power Co., New York, N. Y.
John D. Rockefeller III, president Rockefeller Brothers' Fund, New York, N. Y.
Lawrence K. Rosinger, American Institute of Pacific Relations, New York, N. Y.
Eugene Staley, executive director, World Affairs Council of Northern California, San Francisco, Calif.
Harold Stassen, president, University of Pennsylvania, Philadelphia, Pa.
Phillips Talbot, University of Chicago, Chicago, Ill.
George E. Taylor, University of Washington, Seattle, Wash.
Harold M. Vincke, department of political science, University of Cincinnati, Cincinnati, Ohio.

The following were invited to the round table October 6, 7, and 8, 1940, but did not attend:

- W. Langbourne Bond, Pan American Airways, Washington, D. C.
Monroe E. Deutsch, provost, University of California.
Anne O'Hare McCormick, New York Times.
Moris T. Moore, chairman of the board of Time, Inc.
Michael Ross, director, department of international affairs, CIO.
J. E. Wallace Sterling, president, Stanford University.

In order to ascertain whether any facts whatsoever might support Senator McCarthy's assertions that Mr. Lattimore has a desk in the Department, access to its files, and a position as a top adviser on far-Eastern affairs, a check has been made with officers of the Department who have been concerned with the Far East, and many of whom have come to know Mr. Lattimore, who is widely regarded as one of the leading experts in this field. Beyond the normal contacts found among persons having a common specialized professional training and interest, this check developed only that Mr. Lattimore, as director of the Walter Hines Page School of International Relations of Johns Hopkins University, has participated in setting up at Johns Hopkins a Mongolian language project in which the Department is interested. The Department of State, in line with the policy of promoting and utilizing foreign language and other international studies in numerous American universities, has, under authority of Public Law 724 (79th Cong.), entered into a contract with the Johns Hopkins University, pursuant to which it has contributed \$3,200 toward this language project. Very much larger sums have been made available for this project, it is understood, by the American Council of Learned Societies and the Carnegie Foundation. In connection with this project, it was possible to arrange for three Mongol scholars, including Dilowa Hutuktu, or the "Living Buddha," to enter the United States and work in the Walter Hines Page School in Baltimore. Officers of the Department's Foreign Service Institute have visited the project from time to time to observe its progress, and a junior member of the Foreign Service Staff, a specialist on the Far East,

whose salary is \$4,050 a year, is studying at the Walter Hines Page School as part of this project. The end results of the project will be a descriptive grammar of the Mongolian language and other teaching materials in spoken Mongolian.

Mr. Lattimore was recently sent by the Secretariat of the United Nations as a member of a preliminary economic survey mission to Afghanistan. In this capacity, Mr. Lattimore was hired by and responsible to the United Nations and not the Department of State.

Mr. Lattimore does not have a desk in the Department of State, nor does he have access to its files. Of course, in connection with his OWI employment (1942-45) and his 4-month assignment to the Panay Reparations Mission which terminated February 12, 1946, Mr. Lattimore like others in such positions, might have been required as part of his duties to consider some official papers from other agencies of the Government, including the Department of State.

These are the facts.

Sincerely yours,

Deputy Under Secretary.

All right, Senator Hickenlooper, whenever you are ready.

TESTIMONY OF DR. OWEN LATTIMORE—Resumed

Dr. LATTIMORE. Mr. Chairman, may I first hand in some of the things I was requested to hand in yesterday?

Senator TYDINGS. What are they, Mr. Lattimore?

Dr. LATTIMORE. First, Mr. Chairman, I have here two exhibits. One is my memorandum to the generalissimo, which the committee wanted to examine—

Senator TYDINGS. That will be filed.

Is it identified on the cover?

Dr. LATTIMORE. It is identified on the cover.

Senator TYDINGS. Hand it over to the stenographer.

(The document referred to was passed to the committee reporter for filing with the committee.)

Dr. LATTIMORE. Second is the diary of my trip to Yenan. In connection with this diary, Mr. Chairman, I should like to draw attention to one fact, lest any misapprehension should arise: The diary consists entirely of interviews with Communist leaders at Yenan; but at the end there are some names on a separate sheet. I did not want to tear out that sheet, to make the notebook seem mutilated, but I do not want to leave the names in there without guarding against misapprehension. The names are the names of Christians, Chinese, and British, and they are noted on that page because, while I was at Yenan, a Chinese Christian doctor came up to me and said that he was working in the region, that he was afraid that he would be denounced to his colleagues, and the British, and would I please write to his colleagues and take out some letters for him, and to say that he was there, not because he was a Communist, but because, as a Christian and a doctor, he felt it his duty to remain in an area which had been taken over by the Communists, to show that it had not been abandoned by Christians, and men of his profession.

That is the only reason his name is in there.

Senator TYDINGS. You want those names in the diary treated in confidence, and you are submitting it for the information of the committee?

Dr. LATTIMORE. Yes.

Senator TYDINGS. And you want it returned?

Dr. LATTIMORE. Yes; returned to me, if you please.

Senator TYDINGS. The stenographer will so note.
What was the year of the Yenan visit?

Dr. LATTIMORE. 1937.

Senator TYDINGS. 1937?

Dr. LATTIMORE. Yes.

Senator TYDINGS. And the diary is for 1937?

Dr. LATTIMORE. At the time I was there.

(The diary was passed to the committee reporter.)

Senator TYDINGS. Go ahead.

Dr. LATTIMORE. I should then like to hand in some quotations from my own writings.

The question was raised—

Senator TYDINGS. Do you want those back, or just filed?

Dr. LATTIMORE. Filed for the record.

Senator TYDINGS. Filed for the record, as exhibit 87.

Dr. LATTIMORE. In this connection, I should like to remark, Mr. Chairman, that the question of whether I am against Russian expansion, and against the spread of communism, is something that is implicit throughout my writings. As a political scientist, and not a propagandist, my writing has not taken the form of mere hostile denunciation. I have always been a loyal American citizen, devoted to the best interests of my country; and my anti-Communist view is primarily expressed in the fact that I have repeatedly advocated programs that would limit the expansion of Russia, as a state; and limit the expansion of Communism as an ideology. Therefore, it is positively expressed, and not negatively expressed, in terms of denunciation.

Senator TYDINGS. It will be filed for the record, as exhibit 87.

(The document was passed to the committee reporter.)

Dr. LATTIMORE. Thirdly, I should like to add to this record a file of attacks on me in the Communist press. I should like to say that those were gathered primarily by my wife while I was away in Afghanistan, before I returned. They do not represent a thorough searching of the Soviet press; as the Soviet press is not indexed in this country, and it is an expensive and long-time business to search the entire record, particularly as my writings fall under the head of geography, history, anthropology, as well as political science.

Therefore, a very wide search would have to be undertaken; and in this connection, Mr. Senator, I should like to make one further observation:

Reflecting last night on the trend of some of the questions yesterday, which I realize were devoted to the eliciting of facts, and which I realized represented the fact that the shadow of McCarthyism hangs over the whole procedure of our public life, as well as over me personally, I nevertheless found certain things that both as a university professor, and as an author, I thought might represent perhaps a dangerous trend in our whole public life.

How often does a man have to prove his loyalty as an American, not by the constructive work that he does, but by the angry denunciation in which he engages?

How often does a loyal American have to prove his loyalty by the number of attacks on him, in the Soviet or American Communist press?

One of the things that most instantly repels Americans is, when they read in the original, or in translation, the kind of thing that is published in the Soviet press, where every issue of a magazine has to begin

with an adulation of Stalin, and denunciation of American imperialism, without any proof; where every individual article has to begin with an adulation of Stalin and denunciation of bourgeois cosmopolitanism, and jargon of this kind, Mr. Senator, to reach a point in American life where a university professor can only hold his chair if he is able to produce, from time to time, printed evidence that he has been attacked in the Soviet or Communist press, not longer ago than, say, 6 months?

If we get to that stage, Mr. Senator, McCarthyism will have dominated this country.

Senator TYDINGS. It will be filed in the record as exhibit 88.

Senator HICKENLOOPER?

Senator HICKENLOOPER. Dr. Lattimore, on yesterday you dwelt at some length upon the freedom of research and the danger to this country in curtailing that freedom. You advocated strongly the right of scholars, researchers, and others to examine the truth, to probe deeply to get to the truth, and the facts, whatever the facts are.

Again this morning you have defended that philosophy, and I am not in disagreement with you on that idea that the scholars and researchers must search for the truth, if we expect to progress; but, by the same token, this committee has a responsibility in the public political interest to search for the truth and to probe deeply for truth.

Now, do I understand that you are raising objection here now to this committee probing deeply and searchingly for the truth in this matter?

Dr. LATTIMORE. Senator, I am not raising any objection at all to the committee probing as widely as it sees fit. I am here before this committee, not only in person, but as a representative of a whole group in our public life. I have referred to the trend of certain questions which I thought represented the reflection in this country of a type of denunciatory procedure which exists in Russia, and which I and other Americans do not like.

Senator HICKENLOOPER. Well, Dr. Lattimore, the denomination by you of this proceeding as "McCarthyism" in my judgment is not exactly appropriate, and I say that without meaning to be caustic about any—

Dr. LATTIMORE. I am merely saying that the shadow of McCarthy has been projected over this committee. He denounced this committee over on the floor of the Senate—

Senator HICKENLOOPER. The shadow of Senator McCarthy may be projected over this committee, but the shadow of communistic activities in this country has been projected over this committee, and if you will read the statement of Mr. J. Edgar Hoover of yesterday I think that it will indicate that the Communist activities in this country are something for substantial concern, indeed; and, I shall be further interested in his statement of yesterday at a later date.

Dr. LATTIMORE. The question of communism in this country, as far as it affects me, Mr. Senator, has been introduced by false accusations, not by activities or writings.

Senator HICKENLOOPER. Well, it is true that Senator McCarthy has been prominently connected with this proceeding. Without doubt, some of his charges generated the setting up of this committee. I think that goes without saying. That is true. But this committee

faces, as I understand it, as I approach it, a fact, and not necessarily a theory, and the fact that the committee faces—or facts—are the necessity for probing for truth, once this matter has been opened up.

Now, you have become an element in this inquiry. As such an element, I feel that it is the duty of this committee to ask questions, to probe deeply, and to find out from the answers to the questions that are asked, and information that is received, to find out a basis for fair and decent conclusions.

Dr. LATTIMORE. Equally, Senator, I feel it is my duty to appear before this committee. I would respectfully point out, however, that my case has been before this committee for more than a month, in the course of which I have not been able to attend to my ordinary vocation, in the slightest. I have put more than a month of time at the full disposal of this committee.

Senator HICKENLOOPER. Dr. Lattimore, the question I asked you, the question about whether or not Mrs. Lattimore had lectured to the Tom Mooney Labor School at San Francisco in 1943, and produced a tear sheet from the People's World, dated April 28, 1943, published in San Francisco, I believe, and in connection with that I find—I want to ask you whether or not, overnight, you and Mrs. Lattimore have had opportunity to refresh your recollection as to whether or not she actually did lecture at that time and place, to the Tom Mooney School?

Dr. LATTIMORE. Yes, Senator. We discussed it. First, I should like to say that during 1943, we were at the height of our war effort, and my wife and I, as people who had spent a great many years in China, were requested to speak all over the place, to all kinds of organizations, and we did so; and, as the printed record shows, both from a book that I published in 1943 and from a book that my wife and I together wrote in 1943 and published in 1944, we were both at that time heart and soul behind the Chinese war effort, as well as our war effort, and were strongly in favor of Chiang Kai-shek; so that all the lectures we gave at that time included strong support of Chiang Kai-shek.

My wife recalls that she spoke at what she understood to be a labor school, as both of us spoke at many schools, churches, community organizations and so forth, at various times; and with all due respect, Senator, I should like to add at this point that I think that this attack on me has set a new low in American political life, and I consider that this attempt to attack me through the activities of my wife, as a loyal American citizen, giving her opinions to no matter whoever it may be—her opinions, not the opinions of anyone else, strikes a new low.

Senator HICKENLOOPER. I assure you, Dr. Lattimore, that I am merely attempting to probe the historic attitude toward communism, and I think some of these things are extremely pertinent, in putting the pattern together.

Dr. LATTIMORE. In putting the pattern together, is it a question of the audience to whom one speaks, or the words which one says?

Senator HICKENLOOPER. So far as the Tom Mooney Labor School is concerned, I have checked up on it, and I find the following reference, from the California Committee on un-American Activities. The first Tom Mooney Labor School was first announced in the People's World, July 1, 1942, that being the west coast organ of the Com-

munist Party. The California Committee on Un-American Activities further, in its report for 1947, said, and I quote as follows:

The San Francisco Workers' School * * * frankly and openly a school for instruction in communism * * * by 1943 * * * had been rechristened the Tom Mooney Labor School. * * * A glance at the curriculum reveals that changing the name of the San Francisco Workers' School to the Tom Mooney Labor School did not result in any deviation from the Marxist character of the institution * * * the Tom Mooney Labor School functioned for years with Communist Party functionaries as instructors.

The reference is the California Un-American Activities report, for 1947, pages 63, 77, and 78.

Dr. LATTIMORE. Mr. Senator, in 1943 my wife and I were engaged in patriotic activity. We were not professional discoverers of subversive institutions. As far as my wife can recall, she remembers that she was asked to go down to a trade-union school. She spoke there, expressing the same ideas that she and I expressed everywhere else, and if now, some years later, it turns out that the Communists at that time were against Chiang Kai-Shek, and if it turns out now that my wife and I discovered what we did not know before, that that particular school had Communist connections, well, I think that it is an extremely good thing that they were exposed at that time to some extremely un-Communist and anti-Communist remarks on, and interpretations of the situation in China.

Senator HICKENLOOPER. Dr. Lattimore, on yesterday I asked you a question as to whether or not a man by the name of Loomis ever arranged to furnish information supplied by you to Moscow, and in the Soviet diplomatic pouch. Your answer was "No."

Dr. LATTIMORE. I, to the best of my knowledge—the only man by the name of Loomis, of whom I knew in those years, was a former YMCA secretary in Hawaii, who was at that time the secretary of the Hawaii branch of the Institute of Pacific Relations and as anti-Communist a man as I know, and I certainly never stuffed anybody's pouches with information for the Soviet Union.

Senator HICKENLOOPER. And, you did not at any time use the Soviet diplomatic pouch for the transmission of communications of any kind?

Dr. LATTIMORE. I may have used it on one occasion, in 1947, when I was hoping to be able to make a trip to Outer Mongolia. At that time, I knew that Americans were not being admitted to Outer Mongolia, and I thought it would be a considerable score if I could get there, so I wrote a letter to the Premier of Outer Mongolia, using the same technique that is used by correspondents in Moscow when they write a letter to Stalin, hoping to get a publishable answer, since the United States has no diplomatic connection with Outer Mongolia. I enclosed an original letter written in Mongol, with an English translation, and sent it to the Soviet Ambassador here in Washington, and asked him—and the enclosure was unsealed, and I asked him if he would transmit this request to the Soviet, to the Mongol Embassy in Moscow, asking him to transmit it to the Premier of Outer Mongolia.

Whether they sent it in any pouch or by written mail, I do not know. My request was all in writing. There was no conversation, and there was no answer.

Senator HICKENLOOPER. And did you at any other time, and under any other circumstances ever make use of the Soviet diplomatic pouch for the transmission of any communications?

Dr. LATTIMORE. Not that I can possibly recall, Senator; and, I think it most unlikely. I cannot imagine the circumstances under which I might have used the Soviet pouch.

Senator HICKENLOOPER. Well, then—

Senator McMAHON. I want to just say that—have you a copy of that letter that Senator Hickenlooper just asked you about?

Dr. LATTIMORE. I must have, yes.

Senator McMAHON. Will you produce it?

Dr. LATTIMORE. Surely.

Senator McMAHON. I will take advantage now of saying, for the record, that I have to preside over a meeting of the Joint Atomic Energy Committee at 10:30. We are having a very, very important session with Dr. Page, the physicist, and I have to go.

Senator HICKENLOOPER. Dr. Lattimore, what methods and means did you take for making your arrangements and the contacts for your trip to Yenan in, I believe, 1936 or 1937?

Senator TYDINGS. Excuse me.

Due to the absence of some of the members of the committee here, it will not be feasible to sit beyond 11:15, which is 40 minutes from now. I, myself, have to go downtown to keep an engagement of 2 months' standing which I have tried to get out of, and cannot, and, at 12:15 a speech; and Senator McMahon has this meeting and I am wondering what the situation will be in that regard.

Senator GREEN, could you preside up to 12:15 here, because we are meeting at 11—that would take care of it. We could go on for that length of time.

Senator GREEN. They want us all present.

Senator TYDINGS. Can you be here up to 12:15? I have to go.

Senator GREEN. I received this call from Senator Lucas to be in the Senate at 11.

Senator TYDINGS. What is you answer?

Senator GREEN. No.

Senator TYDINGS. I would stay myself, even in spite of the call, but I cannot stay on account of the engagement of a few months' standing, to speak to the Washington Rotary Club. Visitors from all over the country will be there at 12:15, and I have to leave before that to arrange for some other matters.

If you could sit here until 12:15, and then you could recess, it would relieve me; otherwise, there won't be anybody here.

Just a minute, we will get this all straightened out.

I would like for the hearing to go on, if you could stay here.

Senator GREEN. I would, but the majority leader telephoned and asked me to present there at 11 o'clock.

Seantor HICKENLOOPER. Mr. Chairman, the two Republican members might arrange to go on with the hearing, if the Democrats have to be gone.

Senator TYDINGS. Some of us have tried to be here at all times. We have always tried to have one of each party present while the committee was proceeding.

Senator GREEN. It seems to me it will be better if, when it comes 11 o'clock, we would adjourn—

Senator TYDINGS. We will have to do that.

I had no idea yesterday that we were meeting at 11 this morning. The usual time for a meeting is at 12, so I had planned to go to 12:15.

Go ahead. We will have to recess at 11 and meet again this afternoon.

Sorry to have to do this.

Senator HICKENLOOPER. I withdraw that question. Just disregard the question I had asked which has not yet been answered.

Dr. LATTIMORE, will you tell the circumstances of whom you contacted and who arranged for your trip to Yenan, that you testified about?

Dr. LATTIMORE. I was the man who managed the trip, Senator. We went by train, as far as we could go by train; then, we chartered a motorcar and drove on, and our first contact with Communists was at the first Communist post we encountered in the territory held by them.

Senator HICKENLOOPER. Did you have arrangement made to go on through, through that territory?

Dr. LATTIMORE. None.

Senator HICKENLOOPER. You went without any previous authorization?

Dr. LATTIMORE. None.

Senator HICKENLOOPER. None whatever?

Dr. LATTIMORE. None whatever.

Senator HICKENLOOPER. So that you did not have the arrangements for this trip made in advance by any other persons?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. I believe you said Mr. Jaffe and Mr. Bisson accompanied you on that trip?

Dr. LATTIMORE. That is right, Senator.

I might add, Senator, that at that time every newspaperman in China was trying to get to Yenan. The press, all over the world, was avid for news of that region, and it was known that anybody could get in who could get that far.

Senator HICKENLOOPER. And, did the press, generally, get into Yenan at that time?

Dr. LATTIMORE. A certain number got in, quite a number.

Senator HICKENLOOPER. Was Agnes Smedley and Nym Wales at Yenan when you reached there?

Dr. LATTIMORE. They were there when I arrived, yes.

Senator HICKENLOOPER. And you conferred with them, there, I believe, at that time in Yenan? That is, you met and talked to them there?

Dr. LATTIMORE. When we got there, we found that the Communists had a sort of resting house or hostel at which they put up all visitors, all foreign visitors. They were at that same hostel, and we saw them there.

We—at least, I can't speak for the others, but I had no conferences with them. I met them and talked with them socially.

Senator HICKENLOOPER. Have you ever read the sort of story as developed by the Far Eastern Command?

Dr. LATTIMORE. I have seen references to it, Senator. I don't think I read it in detail.

Senator HICKENLOOPER. You are aware that Agnes Smedley was listed as one of the agents that worked in connection with Sorge—

Dr. LATTIMORE. I am aware of that. I also remember a press story in which she vigorously denied it.

Senator HICKENLOOPER. Dr. Lattimore, what connection did you have with the Pacific Story, and the National Broadcasting Co. transcript, presented by the OWI? Did you write it or collaborate in its preparation?

Dr. LATTIMORE. The Pacific Story was a radio series of the type that is called radio drama. I was approached by NBC in 1943 and asked if I would act as commentator, coming on for a 3- or 4-minute period at the end of each broadcast, and for a number of the broadcasts my wife was asked to act as research worker, to dig out material for the man who did the program.

The program itself, as written, dramatized and presented on the air, was entirely the responsibility of the producer and of NBC. I was responsible for the commentary which I added at the end.

Senator HICKENLOOPER. Did Agnes Smedley broadcast in The Pacific Story?

Dr. LATTIMORE. Not that I ever heard of, not while I was on it.

Senator HICKENLOOPER. Did you ever arrange for Miss Smedley to broadcast or take part in the broadcasting or preparation of The Pacific Story?

Dr. LATTIMORE. No, sir. I was on that Pacific Story program for about 8 months, as I recall. I did not arrange for it to be rebroadcast by OWI and, in fact, I believe that any time when I was working on it, I cannot recall that it was rebroadcast by OWI, and I did not arrange for anybody else to appear on it.

Senator HICKENLOOPER. Do I understand you to say that Agnes Smedley did not appear on the program while you were taking part in it?

Dr. LATTIMORE. Not that I can recall. The program went on for some time after I left California.

Senator HICKENLOOPER. Are you familiar with the organization called Indusco?

Dr. LATTIMORE. Yes, sir.

Senator HICKENLOOPER. Were you ever an official of that organization?

Dr. LATTIMORE. I may have been one of the executive committee at one time, before I left for China in 1941.

Senator HICKENLOOPER. Were you, in fact, an honorary vice chairman of the organization?

Dr. LATTIMORE. I may have been and, also, while I was in China, I talked a number of times about Indusco with the man who was then Premier of China, H. H. Chung, who was the chairman of the Chinese side of the organization.

Senator HICKENLOOPER. And was Philip Jaffe on the board of directors?

Dr. LATTIMORE. I don't recall.

Senator HICKENLOOPER. Was Mrs. Lattimore on the board of directors with you?

Dr. LATTIMORE. Yes—

Mrs. LATTIMORE. Yes, I still am.

Dr. LATTIMORE. She was and still is.

Perhaps I should add at this moment, Senator, that in the people who were active on Induseco, as far as I knew them, and the whole program as far as I had anything to do with it, it was a part of that whole general attitude in China that I so frequently referred to, as my attitude, namely, the development of reforms and progressive measures in China that would forestall the Communists by giving people a democratic state of their own, in a kind of China totally different from the kind of China the Communists were aiming at.

Senator HICKENLOOPER. Mr. Chairman, may I diverge just a moment here?

I received a note on yesterday, received a note from Freda Utley, in which she said she had seven questions she would like to have propounded to Mr. Lattimore. The information was that she had sent those questions to me, but the guard told her the questions had to be turned over to Mr. Morgan, and I never received the questions. Now, I am giving no carte blanche to ask any questions anybody asks me to, but that is not the point—I would like to see the seven questions, to see whether I want to prepropound any of them to this witness or not.

(Mr. Morgan handed the questions of Miss Utley to Senator Hickenlooper.)

Senator TYDINGS. Is Mr. Bielaski in the room, Mr. Frank Bielaski? (No response.)

Senator TYDINGS. He does not seem to be here, but he sent a message to the chairman that—I don't know Mr. Bielaski—that he would like to be notified when he was likely to be called. That is something I cannot tell him, except that when we finish with this phase of the matter, it is the present intention of the chairman, if the committee approves, to call Mr. Bielaski today, if we can find time to do it.

If he has any friends here, I wish they would notify him.

Senator HICKENLOOPER. I believe, Dr. Lattimore, that you testified as to your acquaintance, for some period of time, with the young Mr. Chi, who is the person proposed by the present Communist regime in China as their representative to the United Nations?

Dr. LATTIMORE. That is correct, Senator.

Senator HICKENLOOPER. You have known him for a number of years?

Dr. LATTIMORE. I have known him for a number of years.

Senator HICKENLOOPER. Did you know him before the war?

Dr. LATTIMORE. I knew him before the war. I think I must have met him first about 1934. I knew him rather slightly in those years, except that I remember that he helped me, by checking some of my translations from Chinese sources at one time, Chinese historical sources; but the time at which I knew him best was during the war, in Chungking, when I was adviser to the generalissimo, and he stood in a confidential relationship to Mr. H. H. Chung, who was then the Premier.

Senator HICKENLOOPER. During your acquaintance with Mr. Chi, prior to the war or during the war, did you believe him to be or did you learn him to be a Communist at any time?

Dr. LATTIMORE. No, sir; no, sir.

Senator HICKENLOOPER. When did you first know that he was, in fact, a Communist?

Dr. LATTIMORE. I do not know that he is, in fact, a Communist now, Senator.

Senator HICKENLOOPER. Is there any doubt in your mind that he would be here as the proposed representative of Communist China to the United Nations, if he is not a Communist?

Dr. LATTIMORE. It is possible, Senator. The Communist government in China appears to have taken over the services of a considerable number of non-Communists, especially where they were men of specialized training of various kinds.

Senator HICKENLOOPER. You have known Mr. Frederick V. Field for a number of years?

Dr. LATTIMORE. Since 1934; in the summer of 1933 I met him at a conference of the institute.

Senator HICKENLOOPER. And you have associated with him in the Institute of Pacific Relations and in the earlier days of Amcrasia; is that correct?

Dr. LATTIMORE. I was associated with Mr. Field to the extent that we were both employed by the Institute of Pacific Relations since 1934.

He, however, was associated with the American Council of the Institute of Pacific Relations, and I was associated with Pacific Affairs, which was the organ of the International Organization of the Institute of Pacific Relations.

During the earlier years of that association I was living principally in China.

Senator HICKENLOOPER. During that association, did you believe at any time, or were you reliably informed by Mr. Field—I will put it specifically—by Mr. Field, on information, that Mr. Field was either a Communist or had vigorous Communist sympathies?

Dr. LATTIMORE. No, sir. Quite the contrary. As far as I knew, Mr. Field was a man who had an interest in the economies of the Pacific region, and who was a rather liberal young man, but my acquaintance with him, my discussion of political topics with him, was so casual that it was not even—not until the other day did I even learn that he had at one time been a supporter of Mr. Norman Thomas. At that time I didn't know it.

Senator HICKENLOOPER. During all of your associations with Philip Jaffe did you at any time come to believe, or were you at any time reliably informed, as to whether or not Mr. Jaffe either was or is either a Communist or a strong Communist sympathizer?

Dr. LATTIMORE. No, sir. In my contacts with Mr. Jaffe, which were extremely slight, I went on this one trip with him to Yenan, and after I came back to the United States, at the very end of 1937, enroute to Baltimore in the fall of 1938, I saw him rather occasionally. I was not an active—I was not very active on the advisory board of Amcrasia, and my opinion of Mr. Jaffe, chiefly from talking to him on the journey to Yenan, which was the closest association I ever had with him, was that he was one of those Americans who had a very bright and open view of the democratic nature of the Communists in China, but I had no reason to believe that he was, himself, a Communist.

Senator HICKENLOOPER. As a result of your association and acquaintance with Agnes Smedley, did you at any time conclude, or were you at any time reliably informed that Agnes Smedley either was a Communist, or had strong Communist sympathies?

Dr. LATTIMORE. No, sir. My acquaintance with Agnes Smedley, which has never been a very close acquaintance, consisted in meeting here on a few occasions, at long intervals and would convince me, from such of her conversations that I have heard, that she is not and never could be a Communist. She is a person of very strong opinions, and as far as my experience with her goes, she is not a person who would submit her ideas or her conduct to anybody's control.

Senator HICKENLOOPER. During your association and acquaintance with, and knowledge of Nym Wales, did you at any time believe, or were you at any time reliably informed as to whether or not Nym Wales was a Communist, or strongly sympathetic toward the Communists?

Dr. LATTIMORE. My acquaintance with Nym Wales is even slighter than my acquaintance with Agnes Smedley. I knew her slightly when she and her then husband, Mr. Edgar Snow, were living in Peking. I saw her again when I was up at Yenan. From what I have heard of her conversations, and from what I have read of hers, and I confess I have not read very much that she has written, I have no reason to believe that she is or was a Communist.

Senator HICKENLOOPER. Now, during your acquaintance with and knowledge of T. A. Bisson, did you have reason to believe, or were you reliably informed as to whether or not Mr. Bisson was either a Communist or had strong Communist leanings?

Dr. LATTIMORE. None whatever, sir.

Senator HICKENLOOPER. Had these people, or any of them become known to you as either Communist, or people with strong Communist leanings—had that happened, would your actions and conduct with them been different than it was, in your associations?

Dr. LATTIMORE. That is a hypothetical question, Senator?

Senator HICKENLOOPER. I realize that it is.

Dr. LATTIMORE. I think it can best be answered by pointing out that during those years, and to this day I have been extremely little influenced by—I say this with all due respect to them—people like Agnes Smedley or Nym Wales or T. A. Bisson; because all of these are people who have lived in China less than I have; who either do not speak or read Chinese at all, or do not speak it or read it as well as I do, so that they are not people to whom I would go, either for material information, or for guidance of ideas, because I have always worked directly with original sources.

Senator HICKENLOOPER. I believe on page 914 of your statement—I don't know whether the page number is correct or not—I believe you made a statement in which you said that during the war you consulted with a Chinese, Chou En Lai; I don't know how to pronounce it but it is spelled C-h-o-u E-n L-a-i. He was a Communist leader; was he not?

Dr. LATTIMORE. He was the official Communist representative in Chungking when I was there with the generalissimo, and I met him on instructions from the generalissimo.

Senator HICKENLOOPER. Therefore, I take it that you reported in detail the results of your conversations with him to the generalissimo?

Dr. LATTIMORE. Naturally.

Senator HICKENLOOPER. I believe that you stated previously that Lauchlin Currie had advised you that he had recommended you to the President, and the President had selected you for recommendation as an adviser to Chiang Kai-shek; is that right?

Dr. LATTIMORE. No, sir. I was asked to come over to Washington, to speak with Mr. Currie, who told me that the generalissimo had asked President Roosevelt to recommend an adviser to him. I don't know how my name came up, but I certainly did not understand that I was being recommended to the President by Mr. Currie. What I understood was that Mr. Currie, as an executive assistant to the President, had been instructed to all me in for an interview to see whether I was willing to consider such an appointment, before I saw Mr. Roosevelt.

Senator HICKENLOOPER. How long and how well had you known Mr. Lauchlin Currie before that time?

Dr. LATTIMORE. Before that time, I had never heard of him. I had never met him or even heard of him, except as his name appeared in the press, as a man who had made a journey to China, on behalf of the President.

Senator HICKENLOOPER. After your tour of duty as adviser to Chiang Kai-shek, did you submit a report to any person in this Government as to your activities?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Of the affairs there during that period?

Dr. LATTIMORE. No, sir. I was not responsible to this Government, and there was no requirement for me to make any report to this Government. I was solely in the service of the generalissimo.

Senator HICKENLOOPER. I understand that. I was inquiring as to whether in fact such a report had been filed.

Did you file a report with anybody in the Government after you returned from your trip with Vice President Wallace?

Dr. LATTIMORE. Not that I can recall, Senator.

Senator HICKENLOOPER. Were you designated to accompany him on that trip by some authority?

Dr. LATTIMORE. I was.

Senator HICKENLOOPER. What was the designating authority?

Dr. LATTIMORE. The Office of War Information, to which I belonged, as far as I recall.

Senator HICKENLOOPER. And did you not file a report with the Office of War Information on that trip?

Dr. LATTIMORE. I don't recall that I did. That could easily be checked.

Senator HICKENLOOPER. Did you file any official report, or a report with any public officials, Government officials at the conclusion of the Pawley Reparations Commission?

Dr. LATTIMORE. No, sir. Like other members of that Commission, I participated in the gathering of pertinent material and the drafting of Mr. Pawley's report. Mr. Pawley's report was Mr. Pawley's report, and I was not required to make any report as an individual.

Senator HICKENLOOPER. In connection with your trip with Mr. Wallace, you are familiar with his book, Soviet Asia Mission, are you not?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. You are familiar, therefore, I presume, with the credit which he gives in the first part of this book, under the heading "Author's note" in which he says:

In acknowledgement of invaluable assistance in preparing the manuscript of Soviet Asia Mission, my sincere thanks are extended to: John Hazard, Owen

Lattimore, and Capt. Kenneth Knowles for intimate observation of life in East Asia today;

That is the important part of the author's note, but I think, in fairness, I should put the entire note in the record.

After that it says, after the semicolon:

Joseph Barnes, Harriet Moore, Albert Rhys Williams, Dr. Tredwell Smith, and Myra Jordan for reading the text and offering editorial suggestions; and to Andrew Stelzer who compiled the book from the diary I wrote during the trip, and from other factual material supplied him by me.

And below that, is his printed signature.

I presume you read this book, Mr. Lattimore—Soviet Asia Mission? Dr. LATTIMORE. I have looked through it. I don't think I have ever read it right through.

Senator HICKENLOOPER. I don't know what other people think about it, but my opinion is that it is lyrical praise of the Soviet system of operation in Siberia, and a magnificent support of their activities; and, I wonder how much you may have had to do with the compiling of that book, in view of the credit that is given in the author's comment.

Dr. LATTIMORE. Mr. Wallace's reference in that introductory note is rather more laudatory than I deserve. As far as I recall, I did not submit any material for the book. There are a number of references to me in the book, and proofs were sent to me to look at, and I considered that my duty, as far as the proofs were concerned, was to see that any references to me were correct, which I did. I did not assume any responsibility for the rest of the book, in whole or in part.

Senator HICKENLOOPER. And you did not advise on the general tenor of the book, or the conclusions arrived at in any way?

Dr. LATTIMORE. No, sir; and I might add that it was well known to other members of the mission that when I came back I did not come back as a supporter of Mr. Wallace's ideas.

Senator HICKENLOOPER. Dr. Lattimore, during the time—or at any time during the time that you were the Director of Pacific Operations for the OWI did you believe, or had you been reliably informed as to whether or not—that is, did you believe or had you been reliably informed that the China Daily News, in New York, was either a Communist newspaper, Communist controlled, or had strong Communist leanings?

Dr. LATTIMORE. No, sir; very definitely not.

My knowledge of the China Daily News, or New China Daily News, whichever it was called in those days, in New York, came primarily from Dr. Chi, old Dr. Chi, who was at that time, I believe, writing or had been writing editorials for me, and whom I knew to be a staunch Democrat and anti-Communist.

Senator HICKENLOOPER. Dr. Lattimore, at the time of the picnic at your place in Maryland or when, I think it was a day or two before, certain raids or arrests were made in the Amerasia case, and when Mr. Service and Mr. Roth were present, was there present at your place on that day any document of the United States Government classified as confidential, restricted, secret, or top secret?

Dr. LATTIMORE. Not that I ever saw, Senator.

Senator HICKENLOOPER. Did you discuss with any person on that day of the picnic, the matter of any classified documents of the Federal

Government, or any copies of classified documents of the Federal Government?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. And, I am using the word "classified" in the technical sense used by the Federal Government for documents that have been marked—

Dr. LATTIMORE. Marked "secret" or "confidential" or "restricted."

Senator HICKENLOOPER. Restricted, confidential, secret, or top secret.

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Did you at any time ever discuss the Amerasia case, that is, so far as the arrests, the raids and seizure of the documents is concerned, with either Mr. Service, Mr. Roth, Kate Mitchell, or Philip Jaffe, either before or after the raids that we have been talking about?

Dr. LATTIMORE. For 4 or 5 years before the raid, I cannot recall meeting either Mr. Jaffe or Miss Mitchell. I cannot recall discussing the raid with Mr. Roth, after the raid occurred.

To the best of my knowledge, the best of my knowledge and recollection, the only time that I have seen Mr. Roth since 1945 was last December in India, where I was giving a lecture to an Indian group, and to my surprise, because I didn't know he was in India, Mr. Roth came up at the end of the lecture and shook hands. We had no conversation because I was being whisked off to dinner by some Indian friends.

Mr. Service I saw some time after the charges against him had been dismissed. I saw him before he went on his next assignment, I forget which it was; and naturally, as old friends, we discussed the matter.

I cannot recall in detail what the discussion was.

Senator HICKENLOOPER. Did any of these people that I mentioned in my previous question ever display to you, or show you any restricted documents?

Dr. LATTIMORE. No, not that I recall.

Senator HICKENLOOPER. Either of the Government or any purported copies of restricted documents?

Dr. LATTIMORE. Not that I recall; and furthermore, I cannot recall why any of them should have any occasion to show me any such documents.

Senator HICKENLOOPER. During the month of June 1945, how frequently did you consult with or talk to either Mr. Jaffe, Mr. Service, Mr. Roth, or Miss Mitchell?

Dr. LATTIMORE. Mr. Jaffe and Miss Mitchell—not at all, because, as I say, I don't recall meeting either of them since about the year 1940; Mr. Roth, I had met once in—as far as I recall—in Washington, prior to that, when he told me that he was working on a book on Japan; and Mr. Service I may have seen once or twice before then, that is, between his return from China, and the occasion when he came to my house on that Sunday.

Senator HICKENLOOPER. Dr. Lattimore, where was the office and the establishment—that is, the headquarters of the magazine Amerasia?

Dr. LATTIMORE. I don't remember. I think it was at one time—

Senator HICKENLOOPER. I understood, for several years, three or four anyway, you were connected first officially as one of the board of directors of that magazine.

Dr. LATTIMORE. I was one of the consultant editors, living in Baltimore. I have a vague recollection that when the magazine was first started, it had headquarters in the same building as the Institute of Pacific Relations, but I don't remember ever being in those offices.

Later, the office was shifted somewhere else, and I remember being in there on one occasion, rather briefly; but, that is the only occasion that I can remember being there.

Senator HICKENLOOPER. My next question must be: Where was the office of the Institute of Pacific Relations located?

Dr. LATTIMORE. At one time, in those years, generally speaking—well, put it this way: When I was working as the editor of Pacific Affairs, the office was on East Fifty-second Street; and some time later, I don't recall exactly what year, it was moved to East Fifty-fourth Street, where it now is.

Senator HICKENLOOPER. At any time during your association with that magazine, or with Amerasia, or at any time, any other time within your knowledge, was the Office of Pacific Affairs located adjacent to the Amerasia office?

Dr. LATTIMORE. Not that I can recall.

You see—

Senator HICKENLOOPER. At any time, was there a doorway cut between the two offices for access between Amerasia and the Office of Pacific Affairs?

Dr. LATTIMORE. Not that I can recall; but then, my recollection may not be accurate. When I came back to this country and settled in Baltimore in 1938, in the fall of 1938, I continued to edit Pacific Affairs, but my editorial work was done in Baltimore and I went to the New York office very infrequently. I did my editorial—

Senator HICKENLOOPER. Did you say "frequently" or "infrequently"?

Dr. LATTIMORE. Very infrequently.

Senator HICKENLOOPER. Sorry, I didn't get that.

Dr. LATTIMORE. The material that I edited, I sent in by mail.

Senator HICKENLOOPER. Do you know, at the time you had connections with Amerasia, do you know how many subscriptions the publication had, the number of its subscription list?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Do you know whether or not it was approximately 1,700?

Dr. LATTIMORE. I couldn't say, sir. I had nothing to do with circulation.

Senator HICKENLOOPER. In your visit, in any visit which you may have paid the office of Amerasia, did you ever see its printing and lithographing and photographing production plants?

Dr. LATTIMORE. I never saw anything of the sort, sir.

Senator HICKENLOOPER. You left your official connection with Amerasia, I believe, in 1941?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. What was the occasion for that? I mean, did you go into other work, or what was the reason?

Dr. LATTIMORE. Well, in 1941, when I went out to China as adviser to the Generalissimo, I resigned both as editor of Pacific Affairs, and as a corresponding editor or consulting editor of Amerasia. As a matter of fact, I had had less and less to do with Amerasia for some

years, and had already been considering resigning my position as a consulting editor because there didn't seem to be anything to consult about, at least I never got consulted.

Senator HICKENLOOPER. Was Amerasia, so far as you know, widely read in the State Department, especially in the Far Eastern Section of the State Department?

Dr. LATTIMORE. I have no knowledge whatever of that, Senator.

Senator HICKENLOOPER. Was the institute of—

Dr. LATTIMORE. I couldn't tell you whether it was read or not read.

Senator HICKENLOOPER. Was it subscribed to widely?

Dr. LATTIMORE. I have no idea whatever, Senator.

Senator HICKENLOOPER. Was Pacific Affairs subscribed to widely by the personnel of the State Department, especially those connected with the Far Eastern Affairs?

Dr. LATTIMORE. It may have been or it may not have been. I had nothing to do with the circulation side of Pacific Affairs.

Senator HICKENLOOPER. Do you know, during the time you were connected with Pacific Affairs, approximately what the number of its subscription list was?

Dr. LATTIMORE. I recall—as I recall, it was about—it would be something of the order of a couple of thousand, of which fluctuating between 900 and about 1,100 would be in the United States, plus the Territory of Hawaii; and the other half, slightly smaller half, would be in the various other countries that were members of the Institute of Pacific Relations.

Senator HICKENLOOPER. Both Amerasia and Pacific Affairs had to be supported by subsidies outside of the cost of the subscription, isn't that correct?

Dr. LATTIMORE. Pacific Affairs did not pay for itself, and was partly supported—did not fully pay for itself and was partly supported from the budget of the Institute of Pacific Relations.

About the financial affairs of Amerasia, I have no knowledge.

Senator HICKENLOOPER. Did Mr. Frederick V. Field contribute to the financial support of Pacific Affairs?

Dr. LATTIMORE. To the best of my recollection Mr. Field made some contributions to the American Council of the Institute of Pacific Relations which made a contribution to the international organization of the Institute of Pacific Relations, which allocated part of its budget to the support of Pacific Affairs.

Senator HICKENLOOPER. Do you know whether such contributions came directly from Mr. Field, or from some other organization?

Dr. LATTIMORE. I have no idea whatever.

Senator HICKENLOOPER. The money did not pass through your hands?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. I mean, you did not receive—

Dr. LATTIMORE. I had nothing to do with the treasurer's functions of either the American Council or the Pacific Council of the institute.

Senator HICKENLOOPER. Mr. Lattimore, did your son David attend the World Youth Congress in Prague in the summer of 1948?

Dr. LATTIMORE. In the summer of 1948, my wife and my son and I were all in Czechoslovakia, and my son went, for a while, to camp outside of Prague somewhere, and he also attended various youth

gatherings and so on that were going on in Czechoslovakia that summer and which—his signing up with those organizations gave him cheaper dormitory facilities and so on. He was at the age when he wanted to get away from his parents and show that he was able to go around on his own. I don't recall the details of what arrangements he made.

Senator HICKENLOOPER. He was a student at Putney School, was he not?

Dr. LATTIMORE. That is right.

Senator HICKENLOOPER. Quite a number of students from Putney School did attend the Youth Conference in Prague that summer, did they not?

Dr. LATTIMORE. I don't know. I recall seeing, I think, three Putney students in Czechoslovakia that summer. There may have been more.

Senator HICKENLOOPER. Did your son return directly from Prague to the United States that summer, or did he go somewhere else?

Dr. LATTIMORE. Let's see. My wife and I went from Czechoslovakia to England, where we spent some time; he came back—he was in England for part of the time that we were there, partly with us and partly on his own.

Senator HICKENLOOPER. Did you go to Russia that year at all?

Dr. LATTIMORE. No, sir.

Senator GREEN. Senator Hickenlooper—

Senator HICKENLOOPER. Just one more question, please, then we will recess.

Dr. LATTIMORE. I believe that you referred, and put into the record, a number of criticisms of you by Soviet organs of publication, et cetera.

Are you familiar with the Soviet publication, the New Times?

Dr. LATTIMORE. I have seen occasional copies of it, yes.

Senator HICKENLOOPER. I have here a photostatic copy of the 1945 issue of the New Times, that is, certain sheets of it, number 13 [23] is the notation, pages 29 and 30, as well as 31. The New Times is a Soviet publication, is it not?

Dr. LATTIMORE. So I understand. In fact, when it first came out I seem to remember it was an organ of the new Cominform that was set up after the war, but I may be mistaken on that.

Senator HICKENLOOPER. This is a review of your book, Solution in Asia, by a man named B. Yarovoy. This review of your book Solution in Asia, the entire review I expect to put in the record, but this review seems to give you very great credit for understanding the Soviet position, and the situation in the Orient.

They quote from certain excerpts from your book, as supporting their position, and they quote, among other passages from the book, from page 144, as follows:

Soviet policy * * * certainly establishes a standard with which other nations must compete if they wish to practice a policy of attraction in Asia.

Then, they refer to page 155 in this review, and I quote you as follows:

Even if we should declare that we have no policy toward other people's colonies, the colonial peoples will enter to our account a large measure of credit or blame, according to the degree in which victory over Japan works out as colonial liberation or colonial reconquest.

Then, they quote from pages 199 to 201 of your book as follows:

The question is not what Russia was going to do, but what we are going to do. * * * militarily, politically, and economically, if we declare for cooperation, the Russians are in a position to cooperate and to make it work. If we declare for a policy of independent grabbing of strategic bases, economic spheres of influence, and political satellites, they can grab us right down the line * * * we must therefore seize the advantage of discussing all major world policy in common council with the Russians, and avoid isolating Russia, because it would actually isolate us more than the Russians.

The reviewer of this book, after discussing the book and referring to various supporting pages in the book, concludes as follows:

Lattimore's book is chiefly interesting because it indicates that there are people in America who realize the immense weight of the Soviet Union in Asia, the popularity of its ideas, and the magnitude of its prestige among the dependent and colonial peoples. Lattimore urges that this fact should be reckoned with, and warns that any American policy which ignores the Soviet Union's progressive influence in the east is doomed to failure. He argues that America's interests can best be served not by defying the Soviet Union, but by cooperating with it.

The propagation of this sober view—especially today, when, after the war, an opposite trend is to be observed in certain quarters in America—is undoubtedly of positive value.

Mr. Chairman, I suggest that the entire review, which is rather short, may well go in the record at this point.

Senator GREEN. It will be placed in the record.

(The book review entitled "Solution in Asia" from the New Times, No. 13 [28] 1945, is as follows:)

SOLUTION IN ASIA

(By B. Yarovsky)

Owen Lattimore, author of the book under review, is an American specialist on far eastern affairs. He spent many years in China as a newspaperman, traveler and student of the country. In 1941-42 he was political adviser to Chiang Kai-shek. Later he held the post of Pacific Director of the recently abolished United States Office of War Information.

Lattimore's book is an attempt to explain the new, complex and contradictory conditions that have arisen in the Pacific. The defeat of imperialist Japan and that country's future destiny, the problem of creating a strong and united China, the postwar status of Korea, Thailand, Indochina, and the Netherlands Indies, British and Dutch colonial policy, America's far eastern policy, the Soviet Union's role in the Far East, international cooperation in the Pacific—such is the wide gamut of problems touched upon in this book.

It begins with an analysis of the role of Asia in World War II and in international politics. Lattimore believes that the era of imperialist policy in Asia, the era of colonial domination on the part of certain powers, of concessions, settlements, and extraterritoriality, is largely a thing of the past.

The desire manifested in big-business quarters in Britain and America to revive this policy in its old forms is, in his opinion, unrealistic. If it could be realized, it would inevitably lead to a new war.

In support of this view, he cites the long and deplorable tale of Anglo-American exploitation of the Asiatic peoples and encouragement of Japanese aggression, a policy which was pursued right down to the outbreak of World War II. He points out that for many years Britain and America regarded Japan as a force buttressing the system of colonial exploitation, on the one hand, and as a "good watchdog against Russia," on the other (p. 17). And even when it was manifest that Japanese imperialism had adopted the course of unceremoniously ousting Britain and America from eastern Asia, the policy of patronizing Japan was still continued.

The United Nations must learn the lesson of the past. This means that Japanese imperialism and everything associated with it must be destroyed. Lattimore is of the opinion that, besides destroying Japan's armed forces, her war

Industry must be wiped out, and not only the militarists but the industrial leaders who produced for the war must be tried and severely punished. He lays particular emphasis on the Mikado's role as the head of the imperialist state and considers that he must be removed.

It should be remarked that, although Lattimore wrote his book before Japan's defeat, the maneuvers to which the Japanese reactionaries are resorting today indicate that his warnings were quite justified.

However, it is not to Japan that Lattimore's attention is chiefly directed, but to the future of the countries liberated from Japanese aggression, and to American policy toward these countries. Much space is devoted to China. Lattimore advises the Americans to bear in mind the changes which have taken place within that country during the war. He emphatically asserts that present-day China is no longer a semicolonial country. Today the great Chinese Nation, with its 450,000,000, has become conscious of its mission to participate in the settlement of far eastern affairs on an equal footing with other nations.

But, as Lattimore points out, if China is to preserve her international prestige after victory, the first thing she must do is to put an end to the political split at home. What is needed is a united China, achieved by the democratization of the country. Lattimore's warning is very timely today:

"When the Japanese are driven out, the political program of the forces which drive them out * * * will be of critical importance. If the actual policy put into practice is not one of free political organization and representation, or, at the very least, a coalition policy representing all major groups, there will be terrible disillusionment * * *" (p. 110).

The war in the Pacific has caused deep changes in the relations between the colonial peoples of Asia and the metropolitan countries. Japan's initial military successes and her seizure of the larger part of the east Asiatic colonial possessions of the big powers severely undermined the latter's prestige.

The colonial peoples, Lattimore says, believe that inasmuch as the war was waged for liberty, they are entitled to expect emancipation from their colonial status and the grant of independence. However, he doubts whether these ambitions are fully realizable under existing conditions.

Lattimore holds that with the victorious end of the war Great Britain will endeavor to preserve and strengthen her rule in the colonies. And with Great Britain's support Holland and France will make a similar effort. In view of this, he appeals to America to pursue her own policy in Asia, one independent of these countries. This policy should be not to assume responsibility for supporting the efforts of Great Britain and the other colonial powers to restore their dominion in Asia. As we see, Lattimore does not consider that America herself is a colonial power. He is disposed to foster this illusion by recommending that the United States competely disassociate itself from the other, older colonial powers—Great Britain, France, and Holland—which have compromised themselves most in Asia.

He recommends America to pursue a flexible and realistic policy in Asia, not to repeat the mistakes of the past, and to avoid overfrank expansionism. He believes that after the war there will be three states which will possess a tremendous power of attraction for the colonial peoples of Asia. These states are the Soviet Union, China, and the United States.

The Soviet Union, says Lattimore, is a state with a new civilization. The Socialist economic system and the Soviet form of democracy have a powerful influence on the peoples. The colonial peoples of Asia, which are principally agricultural, are impressed chiefly by two factors: the solution of the agrarian problem in the Soviet Union and its nationality policy. The abolition of the power of the landlords, the transfer of land to the peasants, and the Soviet nationality policy, under which every nationality feels itself an equal among equals, have led the peoples of Asia to look upon the Soviet Union with hope. In Lattimore's opinion, "the Russians and the Soviet Union have a great power of attraction. In their eyes—rather doubtfully in the eyes of the older generation, more and more clearly in the eyes of the younger generation—the Soviet Union stands for strategic security, economic prosperity, technological progress, miraculous medicine, free education, equality of opportunity, and democracy: a powerful combination" (p. 189).

Lattimore urges a careful study of the Soviet Union's practice in relations with other countries, and with the small and weak countries in particular. Underlying these relations, he says, is a wise and farsighted policy which proceeds from the principle of equality and of respect for other nations. As an illustration of the Soviet Union's attitude toward minor Asiatic countries, he

cites its relations with the Mongolian People's Republic, stating that "Soviet policy * * * certainly establishes a standard with which nations must compete if they wish to practice a policy of attraction in Asia" (p. 144).

Passing to China, Lattimore believes that, after victory, that country's authority and prestige in the eyes of the colonial countries will have been greatly enhanced. It may become a country on which the small nations of Asia may orientate themselves. But if China is really to become such a power, her internal cleavage must first be healed by means of a genuine democratization of the country.

As to America, Lattimore believes that her prestige will gain considerably in the eyes of the Asiatic peoples as a result of her leading role in the defeat of the Japanese aggressor. But the subsequent attitude of these peoples toward America will depend on what policy she practices toward them:

"Even if we should declare that we have no policy toward other people's colonies, the colonial peoples will enter to our account a large measure of credit or blame, according to the degree in which victory over Japan works out as colonial liberation or colonial reconquest" (p. 155).

Lattimore therefore recommends that America oppose the restoration of the colonial system in its prewar forms. He recommends an "open door" policy in the dependent and colonial countries, and the abolition of the monopolies of the old colonial powers. This fully accords with the interests of the economically more powerful American capitalism, which naturally wants the opportunity of unhampered penetration into the Asiatic countries.

Lattimore takes up the cudgels against those who assert that the antagonisms among the Great Powers make international cooperation in creating a lasting system of security impossible. He believes that enduring peace in the Pacific, based upon sincere cooperation among the Great Powers, is both possible and feasible, notwithstanding the existence of differences.

He therefore appeals to the United States of America, in the first place, to practice a policy of cooperation in the Pacific. He argues against the reactionary elements in America who, in order to justify their narrowly selfish imperialistic aims, propagate the theory that international cooperation is impossible, particularly owing to the "enigmatic" policy of the Soviet Union.

He writes:

"The question is not what Russia is going to do, but what we are going to do * * *. Militarily, politically, and economically, if we declare for co-operation, the Russians are in a position to cooperate and to make it work. If we declare for a policy of independent grabbing of strategic bases, economic spheres of influence, and political satellites, they can outgrab us right down the line * * *. We must therefore seize the advantages of discussing all major world policy in common council with the Russians, and avoid isolating Russia, because it would actually isolate us more than the Russians" [pp. 100-201].

Lattimore's book is chiefly interesting because it indicates that there are people in America who realize the immense weight of the Soviet Union in Asia, the popularity of its ideas, and the magnitude of its practice among the dependent and colonial peoples. Lattimore urges that this fact should be reckoned with, and warns that any American policy which ignores the Soviet Union's progressive influence in the east is doomed to failure. He argues that America's interests can best be served not by defying the Soviet Union, but by cooperating with it.

The propagation of this sober view—especially today, when, after the war, an opposite trend is to be observed in certain quarters in America—is undoubtedly of positive value.

Senator GREEN. Do you have a question?

Senator HICKENLOOPER. Now, Dr. Lattimore, having observed in publications and otherwise the vigor in which Communist propagandists attack anyone that they believe to be in the last hostile to their programs and views, it seems to me, in reading this Soviet magazine of yours, for instance, Policy Toward Asia, and Solution in Asia, that they had been very kindly indeed toward you, and express approval of your attitude and your approach. That happens to be the way I view the article, or the review of it.

I should be glad to have your comments on that.

Dr. LATTIMORE. Senator, the first comment I should like to make is that any review of any books made by a Communist will be a political review made for political purposes.

If I recall to you, Senator, that in 1945, all kinds of proposals and tentative measures were being discussed about how to regulate the relationship principally between the United States and Russia, through the United Nations, and through other measures. These proposals went on for some time after 1945.

I can remember, for instance, that as late as, I think, as late as the year 1947, I am not quite sure of the year, General Wedemeyer, as part of the idea of regulating American-Russian relations, went so far as to propose a joint Russian-American-Chinese trusteeship over Manchuria.

With that background, I will point out that this book review begins by drawing to the attention of the obviously, principally Communists, the fact that certain aspects of the book appeared to Communists at that time to contain matter which they could use to their advantage. They accordingly quoted that which they could use to their advantage. They left out—they included a passage referring to the power of attraction of the Russians, in the Soviet Union. They omitted a passage which stressed the fact that the United States had a great, much greater power of attraction than the Soviet Union. Then they proceeded to warn the faithful that the author of this book was obviously not a Communist or a fellow traveler, by inserting such sentences and passages as the following:

As we see, Lattimore does not consider that America, herself, is a colonial power. He is disposed to foster this illusion by recommending that the United States completely disassociate itself, and so forth.

It also includes a passage in which the author of the review says:

This fully accords with the interests of the economically more powerful American capitalism which naturally wants the opportunity of unhampered penetration into the Asiatic countries.

It thereby presents me as an agent or spokesman for what Russians apparently are expected to understand as expansionist American capitalism. The book also contains several passages which I think are of interest as being written by a Communist, in which the presentation of

Senator GREEN. You mean the article?

Dr. LATTIMORE. The review article; yes, sir.

Senator GREEN. You said "the book."

Dr. LATTIMORE. I am sorry; my view is distorted. The author says:

He cites the long and deplorable tale of Anglo-American colonial exploitation.

That is a word put in to color my views—a word attributed to me as if it were a quotation.

On the question of the passage which this Soviet reviewer left out of his review, I cite the following from Solution in Asia, the book being reviewed, and this is from page 152:

America has the clearest power of attraction for all Asia.

Senator GREEN. Thank you.

According to the statement made by the chairman, and the instructions he gave, we will, or were to adjourn at 11 o'clock. It is now almost half past 11, so we will have to take a recess.

[The carbon copy of a letter addressed by Senator Tydings to Gen. George C. Marshall, and others, as previously indicated, and answers thereto from Mr. Cordell Hull, Secretary Dean Acheson, Gen. George C. Marshall, and Hon. James F. Byrnes were handed to the committee reporter, and will be found in the files of the subcommittee.]

Senator LORAN. Will there be a further opportunity to question Dr. Lattimore?

Senator GREEN. Yes.

Senator HICKENLOOPER. I have not finished with my questioning, as yet.

Senator GREEN. Yes.

Now, we will take a recess until 2 o'clock this afternoon, when Mr. Lattimore will again return to the stand.

(Whereupon, at 11:27 a. m., the subcommittee stood in recess until 2 p. m., that same day.)

AFTERNOON SESSION

The session convened at 2 p. m., following the expiration of the luncheon recess, Senator Theodore Francis Green, acting chairman, presiding.

Senator GREEN. Senator Hickenlooper, will you proceed with your questions of the witness?

Dr. LATTIMORE. Mr. Chairman, may I add a few words to the reply that I was making to Senator Hickenlooper's last question?

Senator GREEN. If you have not completed it, yes.

Dr. LATTIMORE. I should like to add that in 1945 the fact that the Russians for their own purposes might choose certain quotations from my book, Solution in Asia, is not inconsistent with the fact that they apparently did not approve of the book within their own frontiers. I mentioned I think it was in my first statement, on April 6, that at least one newspaper acquaintance of mine proceeding on assignment to Russia was refused permission to take a copy of that book with him into the Soviet Union, and I think one passage which possibly explains this reaction of the Russians is to be found on page 83 of that book. I quote:

Chiang's Russian experience was important when the Kuomintang dismissed its Russian advisers and split with the Chinese Communists. His position was not that of an ignorant anti-Russian, but that of a man who had studied Communist organization and Russian methods in the Soviet Union.

Senator GREEN. Have you finished?

Dr. LATTIMORE. Yes, sir.

Senator HICKENLOOPER. Dr. Lattimore, do you know Lawrence Rosinger?

Dr. LATTIMORE. Yes, I know him.

Senator HICKENLOOPER. Have you been associated with him?

Dr. LATTIMORE. When I first knew him he was working, as I recall, for the Foreign Policy Association. He has more recently become associated with the Institute of Pacific Relations and I am associated with him to the extent that I am a member of the Institute of Pacific Relations.

Senator HICKENLOOPER. Do you know whether he is a consultant of the State Department on Far Eastern Affairs and Policies in any way?

Dr. LATTIMORE. No, sir. I have no knowledge whatever.

Senator HICKENLOOPER. Have you ever been associated with William T. Stone in connection with Amerasia or any other magazine?

Dr. LATTIMORE. Mr. Stone was at one time on the board of consultants of Amerasia, as I was. At that time I believe I had never met him, but I have met him since.

Senator HICKENLOOPER. Was that a casual meeting or frequent meetings?

Dr. LATTIMORE. Very casual.

Senator HICKENLOOPER. Do you know Anna Louise Strong?

Dr. LATTIMORE. I have met Anna Louise Strong several times.

Senator HICKENLOOPER. Has she visited you or your home in Baltimore within the last 2 years?

Dr. LATTIMORE. Yes. She came to see me, I forget exactly when, but it was after she had been expelled from Soviet Russia.

Senator HICKENLOOPER. More than once, or once?

Dr. LATTIMORE. As I recall, she came for part of the day, between trains.

Senator HICKENLOOPER. Did she discuss her expulsion from Soviet Russia with you?

Dr. LATTIMORE. She did.

Senator HICKENLOOPER. Do you know Ho Chi Minh?

Dr. LATTIMORE. No, sir; I have never met him.

Senator HICKENLOOPER. By reputation you know who he is?

Dr. LATTIMORE. I know who he is, yes; the Viet Nam leader in Indochina.

Senator HICKENLOOPER. Have you ever communicated with him directly or indirectly through others?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. As I recall it—I don't mean to put words in your mouth—I believe you said that you had never met Secretary of State Acheson.

Dr. LATTIMORE. That is right, Senator.

Senator HICKENLOOPER. I was not sure that that was your exact testimony.

Have you always believed, or have you had different views at different times, that the Chinese Communist leaders have been consistently full-fledged members of the Communist International?

Dr. LATTIMORE. I think you will recall, Senator, that I testified before that to the best of my recollection—and I have not looked up the passage—in a book that I had published in 1932, which was about Manchuria, I believe that I more or less dismissed the Chinese Communists, who were at that time down in south China, as representing the same kind of peasant-rebellion upheaval that had occurred at the time of the Taiping rebellion 100 years before, or roughly a century ago. At that time I had never seen a Chinese Communist or read any of their literature or had any sort of contact with them. Since I have had any opportunity to study the Chinese Communists I have, I believe from the very beginning and certainly with a consistent and strongly developing view, held that the Chinese Communist Party is an out-and-out loyal Moscow party.

Senator HICKENLOOPER. And that goes for the Communist leaders in China.

Dr. LATTIMORE. That goes for the Communist leaders in China.

Senator HICKENLOOPER. Substantially since that time, when you referred to the Communist uprising in South China, in developments since that time have you consistently believed that the Chinese Communist leaders were out-and-out members of and adherents of the Communist Party as directed from the Kremlin?

Dr. LATTIMORE. My view has been this, Senator, that the Chinese Communists, and especially their leaders, are convinced, not to say devout, Moscow Communists. On the other hand, the Chinese Communist Party appears to have gone through a rather turbulent history of its own. In the 1920's there were the same sort of factions in the Chinese Communist Party that existed at that time in Russia in the Russian Communist Party; just as the Stalinists won out in Russia, so they eventually won out in China. And ever since that time, which appears to have been definitely settled in China sometime in the 1930's, one can consider the Chinese Communists to be Stalinist Communists.

On the other hand, the Chinese Communists were operating in a country about as different as it could be from Russia and there appears to be very considerable evidence that the Chinese Communists, while adhering to Moscow principles, operated very largely on their own by making their own decisions in local situations peculiar to themselves.

Senator HICKENLOOPER. Were you ever associated with the China Aid Council of the American League for Peace and Democracy?

Dr. LATTIMORE. I don't believe so, Senator. I don't even recall the name. I have no recollection of it.

Senator HICKENLOOPER. I would like to read you a list of names, Doctor, and ask you whether you know any of these people or not. This is a list of officers and officials of the organization I have just named.

Dr. Floyd E. Forkner?

Dr. LATTIMORE. I am not sure of that name, Senator. He may have been a doctor who was at the Johns Hopkins medical school, but I am not sure.

Senator HICKENLOOPER. At least you have never had any substantial association with him, or acquaintance?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Arthur Upham Pope?

Dr. LATTIMORE. Yes; I have met him.

Senator HICKENLOOPER. Frequently?

Dr. LATTIMORE. No; infrequently.

Senator HICKENLOOPER. Have you discussed social and economic philosophy with him?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Dr. Henry A. Atkinson?

Dr. LATTIMORE. That name is entirely unfamiliar to me, Senator.

Senator HICKENLOOPER. Dr. Henry Bibby?

Dr. LATTIMORE. I don't recall him.

Senator HICKENLOOPER. Lyman B. Bradley?

Dr. LATTIMORE. I don't recall him.

Senator HICKENLOOPER. Mrs. Edward C. Carter?

Dr. LATTIMORE. Yes; I know her.

Senator HICKENLOOPER. Is that acquaintance a family acquaintance or in the writing field?

Dr. LATTIMORE. She is the wife of Mr. E. C. Carter, who was secretary general of the Institute of Pacific Relations when I was editor of Pacific Affairs.

Senator HICKENLOOPER. I believe you testified that you know Dr. Ch'ao Tin Chi?

Dr. LATTIMORE. Yes.

Senator HICKENLOOPER. I think we discussed him, so I will not go into that further.

Dr. Joseph B. Cotton?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Mrs. Lucy Forkner?

Dr. LATTIMORE. Unless she is the wife of the Dr. Forkner whom you just mentioned, and unless I have met him, I can't recall the name.

Senator HICKENLOOPER. The same situation would apply to acquaintance with her as to Dr. Forkner if she is his wife?

Dr. LATTIMORE. Quite so.

Senator HICKENLOOPER. These are, as I understand it, officials or people in charge of policy or advisory boards of either the American League for Peace and Democracy or the China Aid Council of that body. That is the reason for the list.

Miss Margaret Forsythe?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Tolitha Gurlock?

Dr. LATTIMORE. Yes, I have met her.

Senator HICKENLOOPER. Is she a writer?

Dr. LATTIMORE. No. She is a YWCA worker. I knew her in connection with the Chinese Industrial Cooperatives.

Senator HICKENLOOPER. In China?

Dr. LATTIMORE. No, in New York. I met her maybe two or three times.

Senator HICKENLOOPER. Dr. Claude E. Heaton?

Dr. LATTIMORE. No, sir; I can't recall the name.

Senator HICKENLOOPER. Philip J. Jaffe. Of course, we have discussed him. His name is on this list, and I shall not take the time to go into it any further.

Sally Lucas Jean?

Dr. LATTIMORE. No, sir; that is unfamiliar to me.

Senator HICKENLOOPER. Mrs. Philip C. Jaffe?

Dr. LATTIMORE. Yes; I have met her.

Senator HICKENLOOPER. Mr. Duncan Leigh?

Dr. LATTIMORE. Unfamiliar to me, sir.

Senator HICKENLOOPER. Miss Dorothy McConnell?

Dr. LATTIMORE. Unfamiliar to me, sir.

Senator HICKENLOOPER. Mr. Edgar H. Rue?

Dr. LATTIMORE. Unfamiliar to me.

Senator HICKENLOOPER. Miss Gordon M. Tiffany?

Dr. LATTIMORE. Unfamiliar to me.

Senator HICKENLOOPER. Miss Mildred Price?

Dr. LATTIMORE. I don't think I have met her. The name sounds vaguely familiar, but I do not think I have ever met her.

Senator HICKENLOOPER. Mentana G. Sayres?

Dr. LATTIMORE. The name is unfamiliar to me.

Senator HICKENLOOPER. You were asked on yesterday, Dr. Lattimore, whether or not there had been discussed with you by the President of the Johns Hopkins University contact with certain people. I will ask you whether or not President Bronk of Johns Hopkins University ever spoke to you or had a conversation with you about your association with Philip Frankfelt, of Baltimore.

Dr. LATTIMORE. No sir.

Senator HICKENLOOPER. Did you ever have any association with Philip Frankfelt?

Dr. LATTIMORE. The name is unfamiliar to me, and I do not believe I could ever have met him.

Senator HICKENLOOPER. So that, so far as you know, you have never had any association with him?

Dr. LATTIMORE. So far as I know, I have never had any association with him.

Senator HICKENLOOPER. Have you ever been acquainted with a Dr. Walter Heissig?

Dr. LATTIMORE. Yes, Senator. I met him on one occasion for about half an hour in Peking, China. It must have been either the last day of 1945 or the first day of 1946. I was introduced to him by a Swedish friend who had been in Peking during the war as a neutral. Dr. Heissig had been, as a German, in Peking during that time working on Mongol studies, and I gave Dr. Heissig some money and asked him if he would buy for me anything that he could find in the way of Mongol books, or books on Mongolia, that had been produced in Peking and the Inner Mongolian region during the period of Japanese occupation. He sent me a considerable number of books.

Senator HICKENLOOPER. Did you have anything to do with Dr. Heissig or anything to do with his behalf or exert any influence in his behalf after VE-day in Europe?

Dr. LATTIMORE. After VE-day? It was after VJ-day also.

Senator HICKENLOOPER. Did you have anything to do—perhaps I had better just clear this up by giving you the genesis of my questions here. I am referring to a newspaper report of Monday, March 27, 1950, carried in the New York World-Telegram-Sun, and I assume that it has been written by Frank Farrell. His picture appears there, and his name under it. This article is as follows: I shall read about three short paragraphs. Then I will be glad to have you comment on the article and the allegations. I have no affirmative information on the matter at all, but this appeared in the public print recently. As a portion of this column under the heading "Secret Service," this columnist says:

I don't know how strong Senator Joe McCarthy's evidence against Owen Lattimore is in charging him with being one of Russia's top espionage agents while in our State Department service, but it is interesting to find Lattimore defending himself for a change, instead of other characters who have been caught with their hands in the jam. No matter how little time he actually served on the payroll of the State Department, this self-ordained expert on Mongolia has always thrown plenty of weight around in that office.

When Hitler's Dr. Walter Heissig, a member of the dreaded Nazi supersnooping ST, was caught flat-footed by our agents for violating the German surrender agreement and continuing hostile operations with the Japs against the United States after VE-day, Lattimore was first to rush headlong to the crusade. Despite the fact that we had adequate evidence and Heissig's confession with which to convict him in a war-crimes trial, Lattimore did his utmost to spring his buddy from jail. He brought heaviest pressure to bear against United States investi-

gators in the case and tried to discredit us with our Ambassador to China, General Marshall, and Lieutenant General Wedemeyer. When it was all over, we discovered that Heissig had secretly offered to present his valuable library on Mongolia to Lattimore. We finally presented Heissig with 20 years at hard labor.

The reason I am asking you about that, and request your comment, is that, as I read it, it is a very positive statement by this writer, and I think in all fairness to you and to us the question is fair to ask you to comment on that statement. You may have for reference this statement. I want it back. I mean you may have it for your reference.

Dr. LATTIMORE. In connection with that story, Senator, I should like to say that my only personal contact with Heissig was this extremely brief contact in Peking, and that he afterward bought books for me which I was very glad to have. He never offered me his library, and I do not have his library.

He was involved with a number of other Germans who were caught in Peking at the end of the war. The story, as I heard it—and it is only hearsay—is that the top members of that German intelligence set-up mysteriously disappeared and turned up instead in the service of the Chinese Government, which left the lower-down ones to stand trial.

American friends of mine who were caught in Peking at the time of Pearl Harbor said that Heissig had been of considerable service to them at that time; that he helped Americans who were in difficulty and stranded at that time until they were all eventually taken to Japanese concentration camps.

Senator HICKENLOOPER. Do you happen to recall any of the friends who were helped by Heissig at that time?

Dr. LATTIMORE. Why, yes. One is Prof. Arthur Wright, at Stanford University, and his wife.

Senator HICKENLOOPER. Do you recall others?

Dr. LATTIMORE. I recall writing to the then American Ambassador in Nanking, Dr. Leighton Stuart, a friend of many years, telling him what I had heard and asking him if the matter could be looked into. My letter was not anything in the nature, or anything like the nature, of "heavy pressure."

Since then Mr. Heissig has been imprisoned in Germany. I understand that he has a firm of lawyers in this country who are trying to reopen his case and that of a number of other cases. I wrote to those lawyers and said that I was interested in a fair inquiry into his cases. I did not know if there was anything I could do, but if they would let me know I would see what I could do. I have never heard from them.

I also wrote to General Thorpe, who testified here the other day, and told him that I knew of this man who had valuable information on Mongolia, and that, if General Thorpe wanted to look into his case from the point of view of the Army, there he was.

I have also corresponded occasionally with Dr. Heissig in prison through the prison censorship. He has been allowed to continue some research work on Mongol subjects while in prison, and he sent to me a Mongol text that he edited to see if I could find any possibility of publication of it in this country.

Senator HICKENLOOPER. Who are his lawyers here?

Dr. LATTIMORE. I don't know, sir. I mean I can't recall, sir, but I believe I could probably find the correspondence and let you know, or let the committee know.

Senator HICKENLOOPER. I think it would be probably in keeping with the questions if the name of the law firm is put in here. I assume that it is registered with the State Department. This case is well known. It is not a secret matter.

Senator McMAHON. I think, Senator, it might be well if we had a copy of Dr. Lattimore's letter to the Ambassador, inasmuch as it is alleged that he exerted great pressure and he denies that and says that is was a communication looking toward getting a review of the case. Would you be willing to submit that letter?

Dr. LATTIMORE. Surely. If I can find the letter, I will be very glad to submit it.

Senator HICKENLOOPER. I think if we can get it and it is available, the entire correspondence with any persons in connection with the Heissig case might be in order. Would you furnish that?

Dr. LATTIMORE. Yes, sir.

Senator HICKENLOOPER. I think I asked you the other day whether you were acquainted with Alger Hiss or not.

Dr. LATTIMORE. I met Alger Hiss very slightly during the late 1930's, when he was in the office of Dr. Stanley K. Hornbeck in the Department of State. I used to go in occasionally to see Dr. Hornbeck, and Mr. Hiss was sitting in the outer office.

Senator HICKENLOOPER. What were the occasions of your going in to see Dr. Hornbeck at the Department of State?

Dr. LATTIMORE. I used to go in there urging a tougher policy toward Japan.

Senator HICKENLOOPER. And did you visit other departments or other agencies in the Department of State, or individuals, in urging these policies?

Dr. LATTIMORE. I very likely did, Senator, but I can't recall whom I visited. I think Dr. Hornbeck was the principal person I knew at the State Department at that time.

Oh, yes, I remember one time Mr. Nelson Johnson, who had been Minister to China, was at one time Under Secretary of State, and I went in to see him occasionally.

Senator HICKENLOOPER. Was this before we entered the war?

Dr. LATTIMORE. This was before Pearl Harbor.

Senator HICKENLOOPER. Did you confer with Mr. Alger Hiss in connection with our policies toward Japan—

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. During that period?

Dr. LATTIMORE. No, sir.

Senator HICKENLOOPER. Was it purely a casual acquaintance?

Dr. LATTIMORE. It was purely a casual acquaintance.

Senator HICKENLOOPER. Are you acquainted with his brother, Donald Hiss?

Dr. LATTIMORE. I never met him, sir—at least not that I can recall.

Senator HICKENLOOPER. Yesterday, I believe, Mr. Morgan inquired about the discrepancy in the testimony between Earl Browder here and yours as to whether or not you had ever seen Mr. Browder. I do not care to renew that except to ask you whether or not you ever on any occasion, at any time other than the one occasion that you said you called upon Mr. Browder, have ever seen Mr. Browder to speak to him or to visit with him or to discuss any matters with him.

Dr. LATTIMORE. Neither to speak to him nor even to see him at a distance.

SENATOR HICKENLOOPER. Have you at any time and on any other occasion than the one which you mentioned in your first testimony ever sent, directly or indirectly through some other medium, any communications to Mr. Browder or received any communications of any kind from him?

Dr. LATTIMORE. No, sir.

Mr. MORGAN. In a similar vein, Mr. Lattimore, in connection with the inquiry concerning Mr. Browder, there is in our record, I believe at this point, some confusion with respect to possible contacts that you might have had with Mr. Field. On pages 715 of our record through 717, Mr. Field has indicated that in all probability you and perhaps Mrs. Lattimore did visit his home in New York, and I am wondering, in view of his observation and the statements that you have made on the record, if you care to make any further statement at this time.

Dr. LATTIMORE. I have not seen that part of the transcript, Mr. Morgan; so I am not familiar with exactly what he may have said, but to the best of my recollection I may have seen Mr. Field at some time or other between, say 19--- let's see. I came back from China in 1942; so the calendar dates would be some time between 1942 and 1946, which is the year in question, but, if so, the contact was so casual that I cannot recall the date or occasion.

Mr. MORGAN. If I recall the testimony, Mr. Field stated that in all probability everyone with whom he had been associated in the institute at one time or another had been in his home. I don't think he did state positively that you had been there, but he put it that probably he had entertained everyone connected therewith, and your statement is that you at no time were ever at Mr. Field's home. Is that correct?

Dr. LATTIMORE. No; I have certainly been in Mr. Field's home at some time subsequent to—it would be some time subsequent, I think, to 1938, when I came to Baltimore to live.

Mr. MORGAN. On just one occasion, or more than one?

Dr. LATTIMORE. It might be more than one, or several, but I can't recall.

Mr. MORGAN. The statement I had in mind yesterday was the one in your prepared statement in which you stated that you had not been in his home in 1946.

Dr. LATTIMORE. To the best of my recollection, I was never in his home in 1946.

Mr. MORGAN. And I think yesterday I asked the question if you had been in his home at any other time.

Dr. LATTIMORE. That's right.

Mr. MORGAN. Your testimony now is that you have been in his home at other times?

Dr. LATTIMORE. I have been in his home, but I can't recall exactly when.

Mr. MORGAN. At any time in the general time limits there, 1945, 1946, or 1947?

Dr. LATTIMORE. On one or more occasions between 1938 and 1945, but on no occasion for anything in the way of a meeting.

Mr. MORGAN. Thank you, Senator. I am sorry I interrupted.

SENATOR HICKENLOOPER. That's all right.

I just have one other. I have one observation that I think it is only fair to make, doctor, and I want to call your attention to the fact that I asked you this morning about your acquaintance and association with a number of people, and I will read their names: The young Mr. Chi, Mr. Frederick V. Field, Mr. Philip Jaffe, Agnes Smedley, Nim Wales, T. A. Bisson, and you stated your association with those people over a period of years.

You also stated, as I recall, the fact that you had no reason to believe that they or any of them were Communists or had strong Communist leanings.

Dr. LATTIMORE. At that time.

Senator HICKENLOOPER. In view of the volumes of public allegations and discussions about these people indicating their at least very, very strong leftist leanings, and in view of your very brilliant and great ability, doctor, which I am happy to admit and frankly and honestly admit, it is difficult for me to understand how a man of your perception and experience would fail to sense or appreciate the leftist leanings of those particular people. I would not credit—I would not want to credit—you with being naive.

Dr. LATTIMORE. Would you give that list again, Senator?

Senator HICKENLOOPER. Mr. Chi, Mr. F. V. Field, Mr. Philip Jaffe, Agnes Smedley, Nim Wales, and T. A. Bisson.

My point is that they have been widely discussed publicly insofar as their political opinions are concerned, and their writings, and I frankly am—well, I did not apprehend that you would answer that you had no idea or knowledge of their sympathies for the Communist causes, which I think they have all clearly expressed repeatedly over the years.

Dr. LATTIMORE. Let us take first, Senator, the names of Mr. Chi and Mr. Bisson. I have never had any reason to consider Mr. Bisson a Communist, and I had no idea that his name had been—

Senator HICKENLOOPER. I have not charged any of these people with being Communists. I said their strong leftist leanings.

Dr. LATTIMORE. I had no reason to consider that Mr. Bisson had a strong left trend, and I had no idea that his name had been widely circulated with any such allegation. At the time I knew Mr. Chi best, which was in Chungking during the war, he was associated in a business in China and I certainly had no reason to consider him a leftist.

Mr. Field, at the time when my association with him was relatively frequent, in 1938-39, I had no reason to believe to be a Communist or a leftist until the period of, let me see, I suppose it was 1940-41, when his view of the war in Europe was different from mine and I considered then that his views on that were much more sympathetic to the Russians than mine were.

Senator HICKENLOOPER. Dr. Lattimore, was a treaty or an agreement or a compact of friendship made between the Russian Government and Chiang Kai-shek at some time about 1945 or thereabouts?

Dr. LATTIMORE. Yes, I believe there was. At the end of the war the Chinese signed a series of agreements with the Russians involving the return to the Russians of certain railway systems in Manchuria, the ports of Dairen and Port Arthur, Chinese recognition of the independence of Mongolia and so forth. Is that the agreement to which you refer?

SENATOR HICKENLOOPER. I believe that that is the agreement. The point I was trying to make was that Stalin and Chiang Kai-shek did come into agreements. I suppose they made the customary statements of great friendship and cooperation and so on, so that at least on paper (I believe it was in 1945) there were expressions of cooperation between Stalin and the Russian Government and the Government of Chiang Kai-shek. That is my impression.

I wonder if you agree at least that the outward forms were those of cooperation as a result of those agreements.

DR. LATTIMORE. My recollection of those agreements, Senator, is that they were--I forget exactly when they were signed, but that they were published shortly after the surrender of Japan, but the wording indicated that they were agreements which had been negotiated while the war was still in progress, because they contained clauses about the relationship between the Russians and the Chinese military authorities and the relations between the Russians and the Chinese civil authorities in areas that might be taken over from Japan.

SENATOR HICKENLOOPER. Do you recall whether these were agreements that grew out of the Yalta Conference and the agreement at Yalta?

DR. LATTIMORE. I do not know that any public statement has ever been made to that effect. As I recall the Yalta agreements offhand, there was an agreement between Churchill, President Roosevelt, and Stalin which had to do with both Mongolia and Manchuria, and there was some expression that—I forget whether it was both President Roosevelt and Mr. Churchill or just President Roosevelt, would use their influence with Chiang Kai-shek to get his concurrence.

SENATOR HICKENLOOPER. Which, of course, at that time probably meant that the influence was a command, virtually, to secure agreement in those matters.

DR. LATTIMORE. I was not a member of any high councils of state at that time, Senator. I can't tell you how close it was to a command.

SENATOR HICKENLOOPER. Mr. Chairman, there are many items here in Mr. Lattimore's prepared statement that I would like very much to canvass, which would take some study and isolation for the purpose of proper questioning, that I shan't go into at this moment, and I hope if opportunity occurs at a later date that I can read it a little more carefully and be prepared to ask some more questions, but at the moment I think that is all that I have to ask.

DR. LATTIMORE. I should like to add, Senator, one remark on the subject of the agreements between the Chinese and the Russians over Manchuria. It has always been my belief that it was a grave mistake of American policy to arrive at any settlement or agreement or understanding with other countries about the internal disposition of Chinese territory. My understanding is, from the published documents, that the decision to do so was arrived at largely because of the pressure of the military services, which wanted to make sure that Russia would join in the war against Japan. My opinion on that subject was that the Russians were going to join in the war against Japan anyhow, and that it was unnecessary to come to an agreement with them in advance which had to do with the internal territory of, sovereignty, and administration of an ally.

I understand that the argument against that is that since the Russians were going to take advantage of the end period of the war against Japan anyhow, it was better to do so under arrangements than with the Russians uncontrolled by any form of agreement. My personal opinion has always been that the United States should not even put itself in a position of seeming to dispose internally of Chinese territory.

Senator HICKENLOOPER. That is all.

Senator GREEN. Senator McMahon, have you some questions?

Senator McMAHON. Dr. Lattimore, I had to be absent during part of your cross-examination. You may have covered this. I don't intend to go into it in great detail. But I am interested in your assertion that you did not go to Mr. Field's house to attend a meeting.

Dr. LATTIMORE. That is right, sir.

Senator McMAHON. On the occasion or occasions when you did go there, what was the purpose of the visit?

Dr. LATTIMORE. Mr. Field was an associate of mine in the Institute of Pacific Relations, and I maintained friendly contact with him, as I did with other members of the staff of the Institute of Pacific Relations.

Senator McMAHON. Was the home then in Washington?

Dr. LATTIMORE. No. His home was in New York and the offices of the Institute of Pacific Relations were in New York. I lived in Baltimore, and occasionally when I came to New York I visited the Institute of Pacific Relations, and on much fewer occasions than that I may have dropped in to Field's house to see him.

Senator McMAHON. Did he make a practice of visiting you in Baltimore?

Dr. LATTIMORE. To the best of my recollection he never visited me either in Baltimore or Washington.

Senator McMAHON. Does any particular person stand out in your mind as having been a guest at his home when you were there?

Dr. LATTIMORE. At his home?

Senator McMAHON. Yes.

Dr. LATTIMORE. No; no particular person.

Senator McMAHON. Were there many or few?

Dr. LATTIMORE. Very few.

Senator McMAHON. Do you remember a man named Huber?

Dr. LATTIMORE. No, sir.

Senator McMAHON. Doctor, when did the fight occur over the control of the Institute of Pacific Relations?

Dr. LATTIMORE. I believe it was in the years 1945-46, Senator. It is stated in that document issued by the Institute of Pacific Relations which recounts the whole story and gives the vote of the membership and analyzes the various publications of the institute and so forth. All the details are there, including the dates.

Senator McMAHON. Is that in the record?

Dr. LATTIMORE. That is in the record.

Senator McMAHON. Tell me, who were the principal contenders? How would you line them up? Who were the principal contenders on both sides of that fight?

Dr. LATTIMORE. As I recall, Senator, Mr. Kohlberg made an attack on the management and policy of the Institute of Pacific Relations,

circulated a great deal of mimeographed material. A certain number of letters came in from the membership saying "What is all this about?" Eventually the institute set up a committee from among its trustees to consider the whole matter. Kohlberg's charges were circulated to the entire membership, as I recall, together with the analysis made by this committee. A vote of the membership was then held, and as I remember a total of some 1,200 votes were reported.

Senator McMAHON. Out of how many?

Dr. LATTIMORE. I don't know out of how many—out of about 2,000. And of the votes recorded, 66 were in favor of Kohlberg and over 1,100 were against him.

The committee that conducted that inquiry, examination of charges, and so forth, or whatever you would like to call it, consisted of Mr. Arthur Dean, of the firm of Sullivan & Cromwell; Mr. William R. Harrod, of the International General Electric; Mr. Walter Dillingham, who is a prominent businessman in Hawaii; Prof. Joseph Chamberlain, professor, I believe, of international law at Columbia; Prof. Philip Jessup, of Columbia. That is all the members of that committee that I can recall.

Senator McMAHON. Were you active in that fight?

Dr. LATTIMORE. No, sir.

Senator McMAHON. Were you a principal bone of contention?

Dr. LATTIMORE. I was one of the people attacked; yes.

Senator McMAHON. How many were attacked?

Dr. LATTIMORE. I don't recall, sir. It is all in the record in that document.

Senator McMAHON. Attack was made on you on the ground that you were what—leftist, Communist, or what?

Dr. LATTIMORE. The attack was made in terms of those I think rather interesting parallels that have already been submitted to the committee showing the parallels between the Kohlberg charges and the McCarthy charges.

Senator McMAHON. Did you answer in writing, submit anything by way of a brief to the membership?

Dr. LATTIMORE. Not that I can recall.

Senator McMAHON. Wouldn't you be likely to recall that, Doctor?

Dr. LATTIMORE. I would be likely to recall it, I should think, yes; but I thought that after all everything that I had said was in the record. The record was being examined by an extremely competent committee. Why should I do any special pleading?

Senator McMAHON. Did you do any electioneering?

Dr. LATTIMORE. Any electioneering? No, sir.

Senator McMAHON. Did you communicate with the members that brought about the 1,100 vote?

Dr. LATTIMORE. Not with the members. I would certainly have answered any inquiries that may have been directed to me by that committee.

Senator McMAHON. Did you appear before the committee?

Dr. LATTIMORE. Not that I can recall.

Senator McMAHON. Did they make a written record of their deliberations?

Dr. LATTIMORE. Yes. It is in the record.

Senator McMAHON. And we have that in the record?

Dr. LATTIMORE. You have that in the record.

I think the record shows that the Kohlberg charges were based on something less than 2 percent of the total output of the institute, and had been magnified in Kohlberg's presentation as if they represented the entire activity of the institute.

Senator McMAHON. Dr. Lattimore, you stated that you called at the State Department in connection with urging a tougher Japanese policy?

Dr. LATTIMORE. Yes, sir.

Senator McMAHON. And you talked with Dr. Hornbeck. He is retired now, is he not?

Dr. LATTIMORE. He is retired now; yes.

Senator McMAHON. He was then in charge of the Far Eastern Division?

Dr. LATTIMORE. He then had a special office which I believe does not now exist, which had a title something like Consultant on the Far East, or something of that kind.

Senator McMAHON. Did Hiss participate in your deliberations with Hornbeck?

Dr. LATTIMORE. Never that I can recall.

Senator McMAHON. Was he Hornbeck's assistant at that time?

Dr. LATTIMORE. At the time he sat in Hornbeck's outer office. He was the man I saw on my way in to see Hornbeck. I don't know what his status was.

Senator McMAHON. What were you urging by way of a stronger policy in Japan?

Dr. LATTIMORE. I was very much in favor of stopping the shipment of war materials to Japan.

Senator McMAHON. That was during what time, Doctor?

Dr. LATTIMORE. That would be from the end of 1938, when I came to Baltimore, and the middle of 1941, when I went out to China.

Senator McMAHON. At that time Japan and Russia and Germany had an alliance, did they not?

Dr. LATTIMORE. Not the whole of that time, Senator.

Senator McMAHON. When was that alliance? When did it come into existence?

Dr. LATTIMORE. As I recall, Senator, offhand, there was first a Rome-Berlin Axis which may have been in 1938, perhaps, and then an extension of it by agreement between, certainly, Berlin and Tokyo, and I think there was some sort of exchange of diplomatic notes between Rome and Tokyo. But as I understand it, the Tokyo relationship was much less of an active partnership than the Rome-Berlin Axis.

Senator McMAHON. At the time when you were urging a tougher policy on Japan, could you refresh us on the relationship between Japan and Russia?

Dr. LATTIMORE. During that period, and it is a little bit difficult to recall the exact dates, there were a number of clashes between the Japanese and the Russians on the frontiers of Manchuria and the frontiers between Manchuria and Siberia and the frontiers between Manchuria and Outer Mongolia.

Senator McMAHON. They had sort of a full-scale undeclared war going on at one time; did they not?

Dr. LATTIMORE. At one time it was a fairly large-scale undeclared war. I don't think either of those undeclared wars on the Siberian frontier or the Mongolian frontier was observed by American corre-

spondents, though in the case of one of them, on the Siberian frontier, the Japanese side of the lines was visited by American correspondents, including the correspondent of the New York Times, not very long after hostilities ceased.

Eventually some kind of a standstill agreement or nonaggression pact was signed between the Russians and the Japanese. At the time that that was signed, there was a great deal of dispute about its significance. One interpretation of it was that it gave a green light to the Japanese to go on with their invasion of China; the other interpretation of it was that it represented Japan's going back on its ally Germany, because it meant that Japan would not join with Germany in an attack on Russia from two sides.

Senator McMAHON. Do you recollect now who the leading protagonists were in this country for an embargo on shipments to Japan?

Dr. LATTIMORE. I should say I was one of them, Senator. Admiral Yarnell was also very much interested. He was then inactive, not on active service. He was in favor of a tougher policy toward Japan. The head of the committee was Mr. Henry Stimson.

Senator McMAHON. Did you serve on that committee?

Dr. LATTIMORE. I served on that committee.

Senator McMAHON. Do you know Mr. Stimson?

Dr. LATTIMORE. I have met him, I believe, once.

Senator McMAHON. That is all.

Senator GREEN. Senator Lodge, have you any questions?

Senator LODGE. Mr. Chairman, first, for the record, and for the same reasons that I previously stated, I wish to reiterate my vigorous dissent at the assistant counsel, Mr. Morris, not being permitted to cross-examine witnesses. It seems to me that that impairs the integrity of the proceedings and flies in the face of our political philosophy.

Then I would like to reiterate my dissent also with the decision not to permit any questioning of anyone involved in the case of Dr. Lattimore in executive session. I don't see how we can get at the truth of this affair otherwise, and I would call attention to the new angle that is developing, by which I mean the coming international conference in Paris and London, and I plead with everyone to visualize the effect on the American representation abroad of a constant stream of this kind of publicity that is going to be published in the London and Paris press, and the weakening effect it will have on the interests of the American people at those conferences. I think that is a factor which has to be taken into consideration in addition to the other objections to these public proceedings which are, of course, that they hamper the work of our investigative agency.

Senator McMAHON. Senator, do you mind my saying that I think there is a great deal to be said for your desire to have an executive session. However, it strikes me that in the Lattimore case we have lost the option to try to continue his case; hearing witnesses in his case in executive session would perhaps be misinterpreted and do our situation generally more harm than good.

I, too, would like to ask Dr. Lattimore some questions that I do not feel that I can ask in open session, and that makes me doubly sympathetic with your idea of an executive session, but I think we are rather on the horns of a dilemma in this particular case.

I just wanted to make that observation.

Senator LODGE. I appreciate the Senator's observation, but I think it is a definite mistake to foreclose ourselves from examination in executive session on this matter. I think it would be better in the interest of justice to the individuals involved, wholly apart from the effect that this publicity has on the interests of the American people in these forthcoming conferences. I would like to take this show off the road, myself.

Senator GREEN. May I suggest that Senator Lodge proceed with the witness?

Senator LODGE. I will be glad to. The Senator from Connecticut wanted to ask me another question.

Senator McMAHON. I will be glad to talk with the Senator about the projected examination that he wishes to make in executive session, and I certainly will maintain an open mind on the matter. I merely wanted to state what seemed to me to be the dilemma which we are facing, and I will be glad to listen to the Senator in executive session as to why he thinks we should adopt that procedure for the rest of the Lattimore witnesses.

Senator LODGE. I am glad the Senator is willing to listen to me. I appreciate that.

First, Dr. Lattimore, I have some questions that the able Senator from California, Senator Knowland, wished to have asked, and he wanted to have them asked in executive session, but as that procedure is impossible I shall ask them now. Some of them relate to subjects on which you have touched. I do not think precisely these questions have been asked. If they are slightly repetitious, you will understand.

Question No. 1: While in China did you know, meet, or have any contact with Ho Yung-Chi, secretary in the Chinese Documents Section of the Wedemeyer and Marshall headquarters in China?

Dr. LATTIMORE. I can't recall the name, Senator. Of course I was not in China when either the Marshall or the Wedemeyer mission was there.

Senator LODGE. How many times did you meet Agnes Smedley in the Far East?

Dr. LATTIMORE. To the best of my recollection, my wife and I met her first when we found ourselves on the same boat with her going to China in, I think, 1934. After that she came in to call on us at our house in Peking once. It would be the next year, I think—1935. After that I saw her in Yenan in 1937, and that I think is the total number of times I have seen her in China.

Senator LODGE. How many meetings have you had with Agnes Smedley in the United States, and the approximate dates of such meetings?

Dr. LATTIMORE. I can't recall having any meetings with her in the United States. I may have met her in the United States, but if so I certainly can't recall it.

Senator LODGE. Did you at any time, directly or indirectly, receive from or transmit to any of the following persons any documents which were classified "restricted," "confidential," "secret," or "top secret"?

Here are the names:

Philip J. Jaffe?

Dr. LATTIMORE. No, sir.

Senator LODGE. Emmanuel S. Larsen?

Dr. LATTIMORE. No, sir.

Senator LODGE. Andrew Roth?

Dr. LATTIMORE. No, sir.

Senator LODGE. John S. Service?

Dr. LATTIMORE. No, sir.

Senator LODGE. Kate Mitchell?

Dr. LATTIMORE. No, sir.

Senator LODGE. Did you ever meet or have any contact with James G. Endicott?

Dr. LATTIMORE. The name is totally unfamiliar.

Senator LODGE. Ching Nu-chi?

Dr. LATTIMORE. Can you say anything in the case of these names to refresh my memory in case it might turn out that I have met them casually?

Senator LODGE. At the moment, no.

The next is Ching Nu-chi.

Dr. LATTIMORE. No.

Senator LODGE. Ozaki Hozumi?

Dr. LATTIMORE. That name sounds vaguely familiar. He may be a Japanese writer or politician or something, but I can't recall meeting him.

Senator LODGE. Mary A. Endicott?

Dr. LATTIMORE. No, sir.

Senator LODGE. Max Klausen?

Dr. LATTIMORE. No, sir.

Senator LODGE. Branko De Voukelitch?

Dr. LATTIMORE. No, sir.

Senator LODGE. Was Frederick V. Field the secretary of the Institute of Pacific Relations at the time that vote on Kohlberg's charges was taken?

Dr. LATTIMORE. No, sir; I don't believe so, sir. I think, Senator, that he resigned as secretary of the American Institute of Pacific Relations about 1948.

Senator LODGE. And the vote on Kohlberg was taken when?

Dr. LATTIMORE. About 1946—1946 or 1947.

Senator LODGE. Now I would like to ask you a question which relates to a statement which you made yesterday on page A-17 in your mimeographed release, and I quote:

The simple and inescapable fact must be that Budenz did not know or think of me as a Communist agent or even a fellow traveler; that he concocted this entire spider web of lies only after he heard the call to colors, sounded by McCarthy or Budenz' old friend, Kohlberg, or some of the others of that crew.

What do you mean by "the call to the colors"? What call would there be? What compunction could there be on him to answer the call?

Dr. LATTIMORE. The call to the colors, as I thought of it when I wrote that passage, was the call to come and "smear" somebody as a Communist who wasn't a Communist, which is just what Kohlberg and McCarthy are fond of doing.

Senator LODGE. Would any motive make a man respond to a call like that?

Dr. LATTIMORE. I have said in the same statement, Senator, I think, what I think of Budenz' motives. I can read them again if you desire.

Senator LODGE. You are referring to that part about commercialism?

Dr. LATTIMORE. Yes, sir.

Senator LODGE. Then on page B7, I quote:

Third, I am informed that the Department does not vouch for the general character or credibility of its witnesses.

That to me is important. If the Federal Bureau of Investigation does not vouch for Mr. Budenz' credibility, that is a significant fact. Are you sure that is true?

Dr. LATTIMORE. On that, Senator, I was naturally interested in Budenz' past record, and I asked my counsel to look into the matter.

Senator LODGE. And then what happened?

Dr. LATTIMORE. Would you care to speak to that, Mr. Porter?

Mr. PORTER. I think, Senator, that the succeeding sentence perhaps clarifies, if I understand what the Senator has in mind. That is to say that in any particular case involving criminal proceedings, the Department of Justice, or any other prosecuting agency, does not vouch for the general credibility of its particular witnesses.

Senator LODGE. This statement, then, refers to your understanding of the general practice?

Mr. PORTER. That is correct.

Senator LODGE. And is not particularly pin-pointed on Budenz?

Mr. PORTER. With specific reference to Budenz.

Senator LODGE. Have you specific information that leads you to believe that the FBI does not vouch for his credibility in this particular connection?

Mr. PORTER. No. I have none to the contrary. But I think this is a generally accepted legal principle.

Senator McMAHON. You see, Senator—

Senator LODGE. Either it is a principle applying generally or it applies specifically to Mr. Budenz.

Mr. PORTER. We mean them both, and I would ask the Senator to read the sealed document which was handed up in connection with another proceeding.

Senator LODGE. I haven't read that. I will read it.

Senator McMAHON. Senator, might I volunteer a statement?

Senator LODGE. Yes; I yield.

Senator McMAHON. It is the Department of Justice's duty, and any attorney's representing them, to put on witnesses who have any knowledge of a particular proceeding. It would not be considered right for an attorney representing the Department to fail to make known to the court a witness who did have some knowledge of the proceedings. Now, conceivably the witness would be ready to testify to something that was not in the Government's interest. However, the duty of an attorney for the Government is to place all the facts before the court that are available, and not to scurry around to get only witnesses who will testify to a man's guilt. You can see there is a difference in the duty that is owed by a Government attorney or a State's attorney or county prosecuting attorney from what there is of an attorney who is counsel for a person in a civil proceeding, representing a particular person.

I think that perhaps is what was meant, but as I understand it, you did not refer particularly to any particular attitude that the Department took toward Budenz personally.

Mr. PORTER. We did not specifically make the inquiry as to whether they considered Budenz a reliable witness.

Senator McMAHON. I think that should be very clear in the record, because I would doubt very much whether the Department would make any particular statement about Budenz.

Mr. PORTER. The point we undertook to make was simply that the Department by using a man like Budenz in these proceedings does not endorse or vouch for his general credibility.

Senator LODGE. And that is all you were trying to convey?

Mr. PORTER. That, plus the collateral information which we submitted to the committee which we think completely supports that point, that any reasonable man who reads that additional information would reach the same conclusion we have with respect to Budenz.

Senator LODGE. I haven't read that yet. Of course, I will. I am referring to the public statement made yesterday on page B7, and that expresses a generality, does it not?

Mr. PORTER. It expresses a principle that applies to Budenz.

Senator McMAHON. But has not been applied by the Department of Justice to Budenz.

Mr. PORTER. They have used him as an informer.

Senator McMAHON. They have used him as a witness, as I understand it, but you have not, as I understand it, and if you have I want to know how, got any expression from the Department or any official in which they have said, "Mr. Porter, we have used Budenz but we have not warranted him." They have not communicated with you to that effect. They have stated a general policy, and you have applied it to Budenz. Isn't that right?

Mr. PORTER. That is correct.

Senator LODGE. The thing that must be obvious to everybody is that the credibility of Mr. Budenz is a cardinal point in this whole venture. That must be obvious to everybody, and I am trying to figure out whether on page B7 you are informing the committee that you have been informed by the FBI that they don't put a very high value on his credibility.

Mr. PORTER. We have asked no rating from the FBI as to Budenz. I assume the committee could get it if they seek it, but we have been informed, if you will notice in the first item there, that the Department has never used Budenz as a witness in any case except against an open and known Communist member, on the theory, objectives, and operations of the Communist Party. I was specifically told that by a competent official of the Department of Justice, that he was not used in connection with the identification of suspected individuals, rather on the ideology and what he calls the apparatus.

Senator LODGE. I am not making this remark to you now, but I am making it to my colleagues, that there is something into which this committee ought to delve and ought to delve off the record. That is one of many, many things that we ought to do off the record, and I repeat, this business of keeping these whole proceedings in public is to me an impossibility.

I am almost through with the questions I want to ask in public.

Yesterday—and I am referring to page 1806 of the record—you said this, and I quote:

Now, in connection with these holding-point positions, such as Formosa, Korea, Indochina, it seems to me that a grave defect of our policy at the present time

is that so much of our resources, and so much of our emotion, is committed to these holding points, and I do not think we can make a successful policy in Asia out of holding points.

I would like to ask you whether it is your considered judgment that Indochina is on all fours with Formosa, whether you really think that, or whether that was—

Dr. LATTIMORE. No, sir; I do not think Indochina is on all fours with Formosa. Formosa is an outlying island of China controlled at the moment by a government that is exiled and does not represent the local people in Formosa. Indochina is not only a much larger territory, but it is a multiple territory. It consists of Annam, Cochinchina, Cambodia, Tonkin, and Laos. It is a multiple nation; there are a number of different local languages, societies, and consequently loyalties, there. It might be possible in Indochina, for instance, to get a program going that would make non-Communist states out of territories like Cambodia and Laos. The operation so far as Annam is concerned, which is the heart of the Viet Nam movement, is much more serious and difficult, because there you have a nationalist movement that has been actually gathering momentum for a number of years.

Senator LONG. I don't think I have made myself clear. Yesterday you gave two classifications of countries in the East. You had Formosa, Korea, and Indochina in holding-point positions; then you had India, Pakistan, Indonesia, and Afghanistan as countries in which we ought to really make a major effort to hold, because they were of substantial importance in their own right.

Dr. LATTIMORE. Quite so.

Senator LONG. It seemed to me that Indochina was a country of substantial importance in its own right.

Dr. LATTIMORE. That is right.

Senator LONG. That the French Army is pretty well deployed along its northern border, that it has large natural resources and so on, and is the gateway to a great many others, and from a strategic standpoint it was in a wholly different category from Formosa, yet you put it in the category with Formosa and do not put it in the category with Indonesia and Afghanistan.

Dr. LATTIMORE. I think I understand now what you mean, Senator.

I think that the operation that is going on at present with the French Army on the one hand and this slightly dug-up ex-emperor, on the other hand, to whom the French have belatedly conceded an inadequate standing, to have that kind of thing supported by American policy is not only a holding operation but a holding operation that is going to lose out.

Now, the other half of the proposition, the importance of large-scale constructive policies in major territories like India, Pakistan, Indonesia, and so forth, this is the point I should like to make: If back of the holding points you don't do anything, if you have holding points that are held only by inadequate people that look to the people of the country like puppets, and like rather miserable puppets, then you are going to create an impression of constantly receding holding points which create more and more of a defeatist mentality in the territory's mind. If you have a constructive program in the territories behind that begins to make headway, that begins to give people a feeling of hope, a feeling of having a constructive future

and a constructive future in association with the United States, you may then change the whole atmosphere and create instead a feeling of something better coming up and moving up to the holding point, so that they are no longer merely holding points but become the advance points of a constructive movement, which we do not have at present.

Senator LONGE. Admitting that that in general is true, should not Indochina be included in a group like that?

Dr. LATTIMORE. Senator, things have been moving rather fast in Indochina. I was away in Afghanistan for a month under conditions which made it impossible for me to follow the day-to-day news from Indochina. When I got out to Afghanistan, Ambassador Jessup had been there just a few days before me. I didn't see him. He was coming back here to report on his visit to Southeast Asia.

Since I came back, for more than a month now, I have been occupied with this extremely distasteful to me procedure to which the disreputable McCarthy has subjected me, and I have also not been able to keep up with my profession, so that in respect to a rather fast-moving political situation in a territory like Indochina I really can't profess to give you answers of any real depth or substance. I have only had fleeting glances at the papers. I did notice in a newspaper the other day in the Alsop brothers' column a reference to what was called, I think, the stupidity and folly of the French handling of that situation in Indochina.

Senator LONGE. Thank you. That is all.

Senator GREEN. May I ask a question myself?

Senator McMAHON. You can.

Senator GREEN. It is this: The charge is made that you were the architect of the State Department's policy in China. That charge you very modestly disclaim, and yet in your testimony today you stated that you called many times on Mr. Hornbeck in the State Department and urged the adoption of your policy in Japan. Japan is in Asia. Mr. Hornbeck is in the State Department. Do you mean that you endeavored to get your policy adopted but failed?

Dr. LATTIMORE. I endeavored, with total unsuccess.

Senator GREEN. But you endeavored?

Dr. LATTIMORE. I endeavored.

Senator GREEN. Did you endeavor to get your policy toward China adopted?

Dr. LATTIMORE. No, sir. By the end of the war I had undertaken to write syndicated newspaper articles, and that to my mind meant that since I was speaking on my own in the public press, that was the way in which I should do my speaking, and not by going to urge private arguments with members of the Government.

Senator GREEN. Then, in the case of Japan, you used your private arguments with members of the Government, and in the case of China you used your public discussions.

Dr. LATTIMORE. That is right. One was prewar and one was post-war. Before the war I was a university professor who wrote occasional articles in the magazine which I was editing and in other magazines, but I was not writing for the daily press, I was not writing for general consumption, and together with a number of like-minded people, I was alarmed by what I thought was a dangerous policy. I thought that Japan was increasingly becoming an enemy of ours,

that it was extremely unwise to strengthen this enemy, so I joined this committee which was known as the Committee for Non-Participation in Japanese Aggression, and together with that committee I urged a stronger policy toward Japan.

After the war, as I say, after I had left Government service, I was asked to write a syndicated newspaper column, and I thought that that changed my relationship to anybody in the State Department; that is, that I might then, like other newspapermen, go to people in the State Department and ask what policy was, and then make my comment upon it, but I did not urge policies in the State Department.

Senator GREEN. You refrained from giving any advice, is that the idea?

Dr. LATTIMORE. Except in my column. In my column I expressed my opinions freely.

Senator GREEN. Did you go to the State Department with other newspapermen?

Dr. LATTIMORE. No, sir. I dropped in there occasionally, but probably much more rarely than the regular press here in Washington, for the reason that I explained, I think, yesterday. I based my knowledge of the Far East primarily on my own experience there, on the accumulation of many years of knowledge and experience, and I tried to work from my background knowledge toward a particular question which is in the foreground, whereas a newspaperman working in Washington, when the Far East comes into the news, may have to deal with the news and yet be a man who has never been in the Far East, therefore he has to go to the State Department and any other governmental agency from which he thinks he may get information, get such information as they are willing to give him, and then as a newspaperman form the best judgment that he can on the subject.

Senator GREEN. Whom in the State Department did you call upon to get this news?

Dr. LATTIMORE. When I went to the State Department at all I would naturally go either—I forget what the exact title is now. So many of these State Department internal divisions have had their names changed, but it was roughly the Division of Far Eastern Affairs; and there is a China, a Japan, and a Southeast Asia section within that division, and I would go to whichever one I was inquiring about at the moment.

Then there is also in the Department an office, the name of which I can not quite recall, which is a special office supposed to provide background information on policy to newspaper men or to the public which may come in to inquire about policy.

Senator GREEN. Whom did you see when you went to these departments?

Dr. LATTIMORE. Individuals, do you mean?

Senator GREEN. Yes.

Dr. LATTIMORE. Let me see. For China it would be—I haven't been there for so long I can't remember who was the man who was there last. In Southeast Asia I know—

Senator GREEN. I am simply asking you whom you saw.

Dr. LATTIMORE. I mean in the Southeast Asia section.

Senator GREEN. Not whom you naturally might see.

Dr. LATTIMORE. In the Southeast Asia section the man I would see when I would go there was Mr. Kenneth Perry Landon.

Senator GREEN. I am not asking whom you would naturally go to see. I am asking you whom you did see.

Dr. LATTIMORE. That is the man I actually saw. I don't think I know anyone else in the Southeast Asia section.

Senator GREEN. So far as you recall there is only one person you went to for news?

Dr. LATTIMORE. For Southeast Asia it would be Mr. Landon; for China it was whoever was head of the China desk.

Senator GREEN. Who was it?

Dr. LATTIMORE. It has changed several times in recent years and I have been there so seldom I find it difficult to remember the names of the people. It was Mr. James Penfield. That was one person that I have seen in the China section.

Senator GREEN. Do you remember any others?

Dr. LATTIMORE. In the Japan section—

Senator GREEN. No, the China section.

Dr. LATTIMORE. Mr. Penfield, Mr. Philip Sprouse. Those are the only two names that I can remember at the moment.

Senator GREEN. Were there others?

Dr. LATTIMORE. There are a number of people in that section, but the people that I went in to see were Mr. Penfield and Mr. Sprouse.

Senator GREEN. How often did you see them?

Dr. LATTIMORE. Maybe once in 6 months or so.

Senator GREEN. Once every 6 months?

Dr. LATTIMORE. Something like that.

Senator GREEN. Was that enough to keep you up to date?

Dr. LATTIMORE. Well, as I say, Senator, it was enough for my purposes by my methods, because I was working, and I have always worked, primarily from my own accumulated knowledge of many years plus a very careful following of the papers. I follow and keep filed clippings of the New York Times—mainly of the New York Times and to a certain extent of the New York Herald Tribune. I would put those clippings together for the recent news. I then considered my background, and on very rare occasions if there seemed to be a point there that I could not understand of my own knowledge, I might go to the Department and ask for clarification, as any newspaper man would.

Senator GREEN. Thank you very much.

The bell has called; it is an important vote that is coming up. I am sure we are glad to have been able to finish just as the bell rang.

I want to make the announcement that the committee will meet in executive session tomorrow morning at 10:30.

Mr. PORTER. Does that mean that Dr. Lattimore is now excused?

Senator GREEN. He is not expected tomorrow.

Senator McMAHON. As I understand it, he is still on call.

(Whereupon, at 4 p. m., the hearing was adjourned, to be resumed upon the call of the chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

THURSDAY, MAY 4, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met in executive session at 10:30 a. m., in room G-23, United States Capitol, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel for the committee, and Mr. Robert Morris, assistant counsel for the committee.

Senator TYDINGS. The meeting will come to order.

Mr. Bielaski, will you stand and raise your right hand?

Do you solemnly promise and declare that the evidence you shall give to this committee on the matter now pending before it, regarding the loyalty investigation of the State Department employees, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BIELASKI. I do.

TESTIMONY OF FRANK BROOKS BIELASKI

Senator TYDINGS. Take a seat and give us your full name.

Mr. BIELASKI. Frank Brooks Bielaski.

Senator TYDINGS. Give us your age.

Mr. BIELASKI. Sixty years of age.

Senator TYDINGS. What is your present occupation?

Mr. BIELASKI. I am president of the Research and Security Corp., a New York corporation.

Senator TYDINGS. And what is your present address?

Mr. BIELASKI. My residence address is 315 East Sixty-eighth Street. My business address is 521 Fifth Avenue.

(A brief recess was taken.)

Senator TYDINGS. Let's start, now.

Senator GREEN. I move Mr. Morris be allowed to attend.

Senator TYDINGS. I agree to that.

Senator McMAHON. I agree, and I further think, Mr. Chairman, it might be a good idea to let him ask the questions.

Senator TYDINGS. I will agree. It will just take more time, and we ought to get on with the case.

All right, sir, do you have a statement to make about this?

Mr. BIELASKI. I have a prepared statement.

Senator TYDINGS. Tell us what you can about the matter.

Mr. BIELASKI. Do you want me to tell you what I know about the particular case?

Senator TYDINGS. Anything that has to do with disloyalty of persons in the State Department.

Mr. BIELASKI. Well, as to that I have no first-hand knowledge of disloyalty of persons in the State Department, in connection with the Amerasia case. I do know certain parts of the Amerasia case thoroughly, and if you wish to have a complete understanding, I think you could hear what I have to say.

Senator TYDINGS. Well, sir, go ahead.

Mr. BIELASKI. It is not prepared, in any sense, and I will have to speak from my memory.

Senator TYDINGS. Take your own way, and tell us what you think is pertinent.

Mr. BIELASKI. Early in 1942, in January or February, I became Director of Investigations for the Office of Strategic Services.

Senator McMANON. Mr. McInerney of the Department of Justice is here on this case.

Is there any objection to having him here in the room?

(There was discussion off the record.)

Senator TYDINGS. We will leave him out for the present.

Go ahead.

Mr. BIELASKI. And, I remained as such for the life of the Office of Strategic Services, and continued for an additional year as Director of Investigations under the Strategic Service Unit of the War Department.

Senator TYDINGS. Who headed that?

Mr. BIELASKI. General Donovan.

Senator TYDINGS. Go ahead.

Mr. BIELASKI. General Donovan sent his aide, Colonel Huntington, to ask me to take a job, that was an undercover job, and my association with the Office of Strategic Services was never known, except to about a half a dozen of the officials of the OSS.

My office was in New York, and my organization extended throughout the United States, consisting primarily of former agents of the Federal Bureau of Investigation.

Senator TYDINGS. Were there any present agents of the FBI? That is, I mean men who were agents at the time you were operating, or were they all ex-FBI?

Mr. BIELASKI. All ex-FBI, but men of experience and ability.

Senator TYDINGS. Go ahead.

Mr. BIELASKI. My principal office was in New York, and we had offices or agents in every State of the Union. I don't think you want to know about the details of the organization.

Senator TYDINGS. That is enough. Go right into the case. You have qualified yourself.

Mr. BIELASKI. My main office was in New York, at a hotel on Eleventh Street, and it was there, on February 28, 1945, that Mr. Archbold van Beuren, who was then the security officer of the OSS, visited me, and laid before a case of stolen documents, believed to be stolen—a leak. He showed me the document which was one gotten out by the Research Division of the OSS, and it dealt with conditions in Thailand.

It was given a "secret" rating, not so much because of what was in that particular document, but because it was one of a series of six or eight, and if all were taken together, it made a complete picture which should not be disclosed to the public.

Senator TYDINGS. Showed you the original?

Mr. BIELASKI. He showed me the original, or a copy of the original. There were—

Senator LODGE. Mr. van Beuren?

Mr. BIELASKI. Yes, sir.

Senator LODGE. What was his position?

Mr. BIELASKI. He was security officer for the OSS here in Washington. He is presently publisher of *Cue* magazine.

Senator TYDINGS. C-u-e?

Mr. BIELASKI. Yes. At the same time he showed me this document on Thailand, and let me see, in addition to what I have said, that the document itself expressed some opinions which, while not vital, were rather undiplomatic, and it showed the basic reasons wherein the British policy and our policy would always differ—

Senator TYDINGS. Who—I will ask you—who was the author of the document, if you know?

Mr. BIELASKI. I have heard the name. He was one of the analysts, a research man in that bureau, but I can't recall at the moment.

Senator TYDINGS. Some one man has prepared the document?

Mr. BIELASKI. Yes, sir; in the organization.

At the same time he showed me that document, he showed me a copy of Amerasia magazine, which I think was the February copy, the current one that month. He opened the magazine to an article and, reading the document and then the article in the Amerasia magazine, it was obvious that whoever wrote the article in the magazine had access to the documents of OSS.

Senator TYDINGS. Or, knew the contents of the document?

Mr. BIELASKI. No. He had to have it in his possession, because whole paragraphs were repeated, word for word. The original document had some 11 or 12 items, numbered, wherein our policy could never agree with the British policy. Amerasia magazine had all of those points, all 12 of them. The only thing they had done was take possibly the last three and put them first. They had changed the order of the points, but there was no change in phraseology.

I asked Mr. van Beuren and, well, of course, he said there was a leak and they were very much disturbed about it and wanted to know what I would do to find out what happened. I asked him to tell me in whose hands these documents had been distributed. He told me of about 30 places they could have gone, including a couple of foreign offices, and that each person who received a copy had an assistant and secretary, and it finally multiplied out to where there were about 150 persons that had access to it—it takes about 10 persons to watch one person, and I don't have enough men, or didn't have enough men to do that job of surveillance of each one, and I told him that surveillance was impossible, but we would try to figure out some way of solving the problem. He left it in my hands and returned to Washington.

I immediately assigned to the job a chap named Brendon P. Battle, a former agent of the Federal Bureau of Investigation, now living in Westchester County, N. Y., who is now a representative of the Board of Fire Underwriters, and a very able chap.

I sent him up to make a surveillance of the headquarters of the Amerasia magazine, look over their building and report to me just who they were, and what they were, and what their premises looked like.

I assigned another man to go out and obtain all available information from the reporting agencies, credit bureaus and so forth, of the magazine itself, as to who founded it and so forth; and I sent a female agent to the Public Library in New York to look over the magazine, its past issues, and find out who its principal contributors were, who the officers were, and anything that she could, from an analysis of the issues over a period of years.

That material all came to me in the course of a few days, I don't know just how long. Mr. Battle reported back to me that he had kept the building under surveillance, and that it was busy during the day, and also busy every evening.

Senator TYDINGS. You had then formed a suspicion that the place that you would crack that leak would be what?

Mr. BIELASKI. I had made up my own mind, subject to development of conditions, that there was only one place to strike at the thing, and that was the fountain source. I couldn't strike all over the country. I could pick the spot and go there and take a look.

The female agent I sent to the library came back with a list of names. I still have a penciled draft of that, as it was prepared, and I want to show it to you, and explain to you what it meant to me, and also some things it didn't mean to me.

Senator TYDINGS. A penciled draft of what?

Mr. BIELASKI. Of the personnel of the Amerasia magazine.

Now, early in her study of the situation it became apparent to her that there was an interlocking in the way of personnel of Amerasia, and that of the Institute of Pacific Relations. I instructed her to—

Senator TYDINGS. What was the year of that?

Mr. BIELASKI. This was 1945. She prepared a list showing the persons in the Amerasia organization. I was not particularly interested in the Institute of Pacific Relations. I knew some of the people in there, and I knew them to be very good Americans.

I did not know all of them, but from my study of Amerasia, and from the report that came in from the credit bureaus, I knew that the chairman of the editorial board was Frederick V. Field. I knew that Philip Jaffe was managing editor, and had been from 1937 to 1945. It is shown here.

Field was chairman of the editorial board from 1937 to 1944. He was there, and there were a number of signed articles he had in the magazine, some nine, during that period.

Jaffe had some ten signed articles up through 1944, after which any articles by him seem to have been unsigned.

I knew that T. A. Bisson, who meant nothing to me, was a member of the editorial board; the same of William Lockwood.

I knew that Edward C. Carter, of the Institute of Pacific Relations, was a contributor, but he was not an officer, nor was he on the editorial board.

It was there I first saw the name of Owen Lattimore as a member of the editorial board, and my draft, the result of the work of the research persons, shows that he was a member of the editorial board

from 1937 to 1944. If this is in error, I am perfectly willing to admit it. I noticed the other day that he said he left in 1941, or something like that. During that period, he contributed eight articles to the magazine.

Senator TYDINGS. What period?

Mr. BIELASKI. '37 to '44.

The other names were Benjamin Kizer, Kate Mitchell, Harriet Moore, Anna Louise Strong, who was a contributor, and then a host, not a host but quite a few other names, the names of contributors or personnel who had contributed both to the Amerasia magazine and had a connection with the Institute of Pacific Relations.

Some of those names revealed something; others didn't mean a thing.

I noticed Andrew Roth contributed three articles in that period from '37 to '44, and then, here are about 15 other articles contributed to the Amerasia from members of the IPR between '37 and '44, and those names are down here. One or two mean something to me, and the others I have never looked into at all.

Mr. MORGAN. I wonder if we might have all the names, Mr. Chairman.

Mr. BIELASKI. I will give you this, or a copy, if you want.

Senator TYDINGS. Give it to us, and I will notify the stenographer to mail it back, unless the committee deems otherwise, mail it back to you for keeping, and you hold them if we want them.

(The list referred to was passed to Chief Counsel for the committee.)

Senator GREEN. Are those in your handwriting?

Mr. BIELASKI. No, sir, they are not; except that at the top I have crossed out something that the research person wrote, and wrote in here, where she had "are connected with," I said, "or were connected with."

That is my handwriting, and that is my handwriting (indicating), and these two words "and writers" are in my hand. The rest is not mine.

The lady who did that work is dead, unfortunately.

Senator TYDINGS. All right, go ahead.

Mr. BIELASKI. After getting this material, I knew that Philip Jaffe was known as a Communist. I didn't know him as a member of the Communist Party—

Senator TYDINGS. How was that? He was known—

Mr. BIELASKI. He was known as a Communist, that is—

Senator TYDINGS. By general reputation?

Mr. BIELASKI. No. I had checked with either the Committee on Un-American Activities, or other Government organizations with whom I conferred, and I was informed that he had contributed \$5,000 to the Communist Party, or to the Communist effort, if not the party. He was known as a heavy contributor.

Senator TYDINGS. When was that contribution?

Mr. BIELASKI. It must have been the previous year, or the year before.

Senator TYDINGS. During the war?

Mr. BIELASKI. Yes, sir.

(Mr. Morris entered the room.)

Mr. BIELASKI. I knew that Frederick V. Field was regarded as having Communist inclinations, or was intimate with them. The degree of his communism, I do not know, didn't know then and don't know now. Of course I knew who Anna Louise Strong was. She was then representing a newspaper in Moscow, and some of the others, the picture to me indicated certain very definite Communist affiliations, and I decided to go in that place and see if I could find our original document.

I took a specialist which I borrowed from the Office of Naval Intelligence, a man that was an expert on locks, and I took Mr. Battle and myself and we went up to look over the building. When I went there, we found that they were working at night and we couldn't do anything. We stayed there until midnight. They were still working in there and we turned around and went home.

The first opportunity we had to get in was on the night of March the 11th. As I recall, that was a Sunday night.

Senator TYDINGS. 1945?

Mr. BIELASKI. 1945.

As I recall, they were working on Sunday up to 5 o'clock, and when we were ready to go in there, we had to wait and make sure they were not coming back and work that night too.

Senator TYDINGS. That was the three of you?

Mr. BIELASKI. At that time, I had my full group.

Senator TYDINGS. How many?

Mr. BIELASKI. Brendon P. Battle, and then I had a man I had first assigned to it, William J. Losti, a former member of the Federal Bureau of Investigation, who was on the Communist desk in New York. The third agent was named Olaf Oleson, who is now in charge—

Senator TYDINGS. How many were there all together?

Mr. BIELASKI. Five.

Senator TYDINGS. Five? Go ahead.

Mr. BIELASKI. And the expert on locks, who I would prefer not to name, having been borrowed from Naval Intelligence.

I gave them their instruction. There were a little dubious about it—

Senator McMAHON. Who was Oleson with?

Mr. BIELASKI. He is now with Bloomingdale. He had come from R. H. Macy & Co. to work for me.

Senator McMAHON. I thought you meant he was with the FBI.

Mr. BIELASKI. He was the only one that had not been.

Senator LODGE. What was his particular skill?

Mr. BIELASKI. He was a very able, two-fisted man, and a very bright chap and one of the best investigators I know, is today, and I have a high regard for him.

They were a little dubious about doing this thing, and I felt apprehensive about it myself, and I decided to go along with them, because I didn't want to ask them to do something that I didn't approve of and wouldn't undertake personally, so I went along and that made five of us.

We entered the offices and, without explaining how we arranged it, the offices were opened to us. We did not force our way in. We were invited in.

Senator TYDINGS. By whom?

Mr. BIELASKI. Well—

Senator TYDINGS. You don't need to name the person.

Mr. BIELASKI. By the assistant superintendent of the building. I would not like to have that known because it might leave them open to some claim by the company.

Senator TYDINGS. This will not go out.

Mr. BIELASKI. He was persuaded, on a patriotic basis, to cooperate with us; and that was the end of it. We were in there for a limited period of time.

Senator TYDINGS. You didn't have to use your locksmith?

Mr. BIELASKI. Not on the outside. We did use him on the inside, but the premises were opened to us.

When we went in, we found rather commodious offices for a small magazine. The front part was divided—I divided the men and sent the three agents back in the rear, for the three rear rooms, and sent the locksmith back with them, and told him to open all desks and all files, and have them make a careful study of what they saw. I personally took the front end of the office because I was looking for something specific. I had pictured to myself that if this article which was published in the magazine—it would probably be in the publisher's or printer's dummy that was gotten up and if I could find the printed dummy, I might find the original of the document we had lost.

I had all the files opened in the front office, and personally went through every file there. I don't mean I made a minute study, but I made sure that what I was looking for was not there, and, I could could find the dummy for the issue of March, but I didn't find the dummy for the issue of February.

While I was about it, I became interested in the circulation of the magazine. I became interested in the figures of profit and loss, and I studied them rather carefully, and looked through the checkbook to see where they were getting the money, and there was nothing there to show where it came from, but it was perfectly apparent that their circulation was steadily falling off and at that time it amounted to just barely 1,700 monthly distribution. The losses on the sale of the magazine had mounted steadily.

Senator TYDINGS. Had what?

Mr. BIELASKI. Steadily mounted. Their losses—it was a losing operation, and losing more and more each month. Their dealer distribution had dropped from some 550 to 320, roughly. I tell you that to show you it was a failing operation.

About the time I finished my work in front, the lock man came up and said "You had better come on back here. The boys in the back want to see you. Something is going on back there."

I had not been all through the office, and on my way back, along a long corridor, the first room I passed on the right was a closed room that had no outside windows or ventilation at all, just the door; and I stopped there and looked in. That room was half as big as this, and it contained developer pans and drying machine, and apparatus for a photostat, or photocopy business.

Senator TYDINGS. For the magazine, or for commercial use?

Mr. BIELASKI. It was not for the magazine, because there was nothing, no evidence in the front office that showed a photostat or photocopy had been used at any time, which made it all the more impossible for me to understand why they wanted it.

I went in that small room and looked around. The only thing missing was the actual photocopy machine itself. It was not there. We subsequently found it in the library.

I went on back then to the two rear rooms, office rooms, and it turned out that the one on the left was the office of the associate editor, Kate Mitchell, and the one on the right was the office of Philip Jaffe.

The agents in there had devoted their time first to looking through his desk and found nothing that we were looking for and disturbed nothing; but, all over the top of his desk were documents that had been photocopied and that were drying. They were not entirely dried. They were pinned together. There must have been, oh, I will say roughly 15 or 20 documents.

The man in Kate Mitchell's office came in with some in his hands, and started to show them to me. About the time that I started to look at these things, Oleson came in. He had been assigned to the library, which is a large room, bigger than this, and he said "I think you had better come in the library. I have something to show you in here."

So, I went in the library. Their table, as big as this, was covered with documents, and this is something that I have never repeated in public or anywhere, but which I think must be told here; an envelope in the middle of the table, a little bigger than this [indicating] was there, and written across the top of it, cater-cornered, was the name John Hersey.

Senator TYDINGS. John—

Mr. BIELASKI. H-e-r-s-e-y.

The author, I presume.

Senator TYDINGS. At least the name is right!

Mr. BIELASKI. The names are identical, and it was not an envelope, to my mind, that was address to him, but as you might write your name on an envelope belonging to you, as I have done many times, written my name across it, not here where an address would be.

The envelope was open on the table, and there were quite a few of these documents, that had John Hersey's name written on them, too.

I was, of course, nonplussed after seeing all this stuff. Oleson said to me, "You haven't seen anything yet. Let me show you what is in the envelope."

So he opened the envelope and pulled out about, I would say, a dozen or 15 documents which were the same as those lying around the place. I didn't read them particularly. It was when I started to look at them, he said, "Wait a minute. You are looking at the wrong place; look in between them"; and here in between these documents we found six typewritten documents, written on newspaper copy paper, this rough white stuff about that wide, and they were all about that long [indicating]; and they were typewritten, and all six of them were marked "Top secret."

Senator TYDINGS. They were copies or originals?

Mr. BIELASKI. They were copies, typewritten copies of six documents, and all marked "Top secret."

I want to say, before I went into the library, I had told Agents Losti and Battle to start to copy the titles and identifying marks on some of these things, and they were in the other room doing that. About that time they came in and asked me to come back.

Before I went back I looked these documents over in the Hersey envelope, and of the six I remember only two, remembering the meaning of the titles, and one of which I have a general recollection. The first one that I recall, and which I discussed with Oleson, was a document, as I say, marked "Top secret" which dealt with the disposition of the units of the Japanese Navy subsequent to the Battle of Leyte, or I believe it was referred to as the battle of October, which was not over until the end of December.

Senator TYDINGS. This was after the battle of the Philippine Sea?

Mr. BIELASKI. That is right.

Senator TYDINGS. And it showed the disposition—

Mr. BIELASKI. Of the units of the Japanese Fleet. It showed them by name and the ports where they were hiding, or place where they were hiding, and if they were disabled—I don't remember the names of the places, and I don't remember the names of the ships; but that was the general tenor of it.

The other documents—

Senator TYDINGS. Was that in the brown envelope in the center of the table?

Mr. BIELASKI. That was in the envelope, mixed in between these other documents.

Senator McMAHON. Do you know what Hersey was doing at that time?

Mr. BIELASKI. I do not.

Senator McMAHON. You don't know what occupation he had?

Mr. BIELASKI. No. I know what he had shortly after that. He went on a trip to the Far East, but I don't know where he went. I never saw Mr. Hersey. I had some intention of seeing him, and then I decided it wasn't any of my business, and I didn't do it.

The second of the ones I remember—

Senator TYDINGS. One question before you leave that: Did your investigation show that Hersey was connected in any way with the magazine?

Mr. BIELASKI. No, sir.

Senator TYDINGS. Or that he was a contributor to the magazine?

Mr. BIELASKI. No, sir; not a thing that showed he had any connection with the magazine at all, except the documents in the envelope with his name on it.

He was not on the editorial board or in any way connected with the—

Senator TYDINGS. You have answered.

Go ahead.

Mr. BIELASKI. The second document was one which was headed, to the best of my knowledge, the bombing program, or strategic bombing program for Japan; and, it said in effect that the targets would be the principal industrial cities of Japan. I don't remember the cities as named, but my recollection is that they would be bombed progressively until they reached the point where they couldn't stand it any longer, and that would be the end of it. It was a progressive plan of bombing for Japan.

The third document which I remember, and of which I do not remember as much as I wish I did, had to do with a new bomb, which I thought at the time was merely a piece of ordnance, a new piece of ordnance. I believe—I recall that it was marked "A" bomb, but

was merely a capital A, with quotation marks on each side, and it didn't say "atomic" and as I had no knowledge of the atomic bomb, it meant very little to me and didn't mean anything to me until many months later.

I went back in Jaffe's room—

Senator GREEN. What was the nature of the memorandum about the A bomb?

Mr. BIELASKI. That, I don't know, sir. I have racked my memory time and again to produce more, and I don't know whether it was a progress report or a plan report or what; but, it had to do with a new piece of, as I thought, ordnance.

It irritated me a little. I remember my reaction to it, because it seemed to me it was just a bomb, an A bomb as compared to a B bomb or a C bomb or a D bomb, and it had no other significance to me than that.

I went back in Jaffe's office, and the men there had listed four or five of these documents, each one of them. About that time, we happened to pull the office door back, and I discovered, behind that door, a very large bellows suitcase which had the initials of "P. J. J." as I recall, on it, which we believed to be Jaffe's initials. I had the lock man immediately open that, and that was stuffed so full of documents that we just dropped everything. I knew it was impossible to make a list of all of them, and told the men we must just as well discontinue making the list, and we would have to decide what we were going to do. We had only, by the way, about an hour or an hour and a half in that place. We had agreed to get out, and thought that was time enough.

Senator TYDINGS. You certainly did some fine work in that short time.

Mr. BIELASKI. When we opened that suitcase, we found it was a bellows type, and it was expanded to that width [indicating]. It contained—it was not for clothes; it was made expressly, apparently, for a documentary suitcase. It had compartment after compartment in it, and all of them were full.

Out of that case I took either four or five OSS documents that we didn't even know were missing, not the one I was looking for, but additional documents.

I took all of those out, and, I have tried to estimate since, with the help of the men who were with me, how many documents we saw there, and at luncheon the other day we agreed it was a conservative number to say there were 400. I didn't believe that anybody would believe me if I made a written report on what we saw and what we did. I expressed myself as feeling that if I wrote a report to headquarters that they would say, "This man's crazy," or something of that sort, and I wanted to prove positively what we had found; so, I decided to take enough with me to show them what we had found, and then no possibility—there would be no possibility of their denying it.

I took between 12 and 14 documents. I took either four or five OSS documents I found, and in addition to that, I took documents which, possibly those which had initials or something on them which would permit us to trace the channels through which they had come. We wanted the documents with markings, but I also took those that seemed important, and put those in my pocket.

Of the documents we saw, I made the comment at the time, that we had documents there from every department of the Government, with the exception of the FBI. We didn't find any FBI documents in that office; but, the State Department, Military Intelligence, Naval Intelligence, Bureau of Censorship, British Intelligence, OSS, and possibly some others which I have forgotten.

They were not documents that were primarily of literary value, they were not literary documents. They were documents that had very definite value of a different kind, not all, but many of them. Every document I saw was stamped with the mail receipt stamp of the Department of State. I would not say that all 400 were stamped that way, but all I saw were so stamped. All those that I saw, also, were marked with a paragraph, I can read it exactly to you, I wrote it down in a memorandum, but it was to the effect that "The possession of these documents by an unauthorized person constituted a violation of the Espionage Act," and it quoted the paragraph, and so forth, of the act.

Senator McMAHON. Mr. Bielaski, as I get it now, these documents, many of them originated in different departments of the Government, but they had been received at the Department of State.

Mr. BIELASKI. Yes, sir.

Those from the OSS, which had originated in the OSS, had the State Department stamp on them, showing they had gone there, and from there they had gotten into other channels.

Senator McMAHON. The State Department had picked them up from these individual agencies?

Mr. BIELASKI. Yes, sir.

Oh, among these documents which I recall, and which we discussed while we were sitting there, to determine how we were going to handle this thing, was one all of us remember because it startled us. It was a lengthy document detailing the location of the units of the Nationalist Army of China, their strength, how they were armed, where they were located, the town in which they were located, that is—

Senator TYDINGS. The Japanese?

Mr. BIELASKI. No, sir; Chinese.

Senator TYDINGS. Communist or Nationalist?

Mr. BIELASKI. Nationalist.

And, it was a lengthy document, I should say three or four pages of foolscap size.

Of course, we couldn't understand why any document of that sort had any business being there.

Senator TYDINGS. What was the origin—OSS?

Mr. BIELASKI. No. Its origin was the State Department, but it may have come through the military attaché in China.

Senator TYDINGS. I see. Go ahead.

Mr. BIELASKI. There were several articles signed by Mr. Gauss, who was our Ambassador to China at that time.

There was another—

Senator McMAHON. You say "articles"? You mean dispatches?

Mr. BIELASKI. I mean documents. I believe the State Department calls them "dispatches."

There was one of which I made a note, a Document No. 58 which was entitled "Generalissimo Chiang Kai-shek, the Decline of His

Prestige and the Reason for It," or words to that effect. It was a secret document.

I want to say also that as far as I recall, all of the documents that originated in the State Department had on them a stamp "Not to be released to the OWI" which rather indicates that they were documents that the public was not going to get hold of.

A third document that I remember, and which was a secret document that dealt with the intimate relations between Chiang Kai-shek and Madame Chiang, and that document I assure you was very intimate, and there were about three pages of it. We didn't think that had any place in that office.

(There was discussion off the record.)

Mr. BIELASKI. There was another document that dealt with the cause of dissension between Generalissimo Chiang Kai-shek and his generals, and the secret reasons why some of them were dismissed.

Those are about the only ones I remember.

It later on developed that two agents—

Senator TYDINGS. That is off the record.

(There was discussion off the record.)

Senator TYDINGS. Back on the record, now.

Mr. BIELASKI. I found out afterward that my two agents, who were copying the titles, had copied about eight or nine before I stopped them from doing so, and I later made a memorandum of the titles of those documents and sent it to the OSS security officer here in Washington.

I took the 12 or 14 documents that I had decided to bring with me and use as proof of what we had found, went out and had some breakfast—it was then about 2 o'clock in the morning—went home and changed my clothes and went over the LaGuardia Field and caught the plane and came to Washington.

I went into the office of the security officer.

Oh, I would like to go back just a minute. Before we left the office of Amerasia, we found five typewritten copies of the document which we were looking for. We did not find the original, but found five unfolded and perfectly clean typewritten copies. I think that is significant, if I may digress a minute, for this reason: We felt, or we considered this thing that we had stepped into was a well-established and going wholesale business in stealing Government documents, and that there was every means there for reproducing. The fact that the original document of the OSS was not there, but that the five typewritten copies were there, made us believe that a batch had come in ahead of our trip, our visit to the office, they had moved out, the originals had gone back to Washington, and these five copies were found, and that was all that was left.

I think that is sound, as you will see a little later.

I came down here, went to the office of Mr. van Beuren, and handed him first the five copies of the document he was looking for, and told him where I got it. He was very much pleased.

Senator TYDINGS. That is, in OSS?

Mr. BIELASKI. That is in OSS.

Then, I proceeded to hand him, one by one, the four or five additional documents that had been stolen from OSS, documents that originated from OSS; and, one of them, he told me, was of such

secrecy that it was almost calamitous. It was a document that was marked for the Chief of Naval Intelligence only, a secret document. I don't know what it was about.

Senator TYDINGS. You brought it with you, though?

Mr. BIELASKI. I brought it with me, and it was an original, as well as all the others that I brought, original documents of varying degrees of secrecy, from confidential—

Senator LODGE. Not copies, but originals?

Mr. BIELASKI. Every one I brought was an original document.

Senator GREEN. Is this the only one that you don't remember what it related to?

Mr. BIELASKI. No, sir. I don't remember what any of those 12 or 14 related to.

Senator GREEN. You told us about some of the others, the subject matter.

Mr. BIELASKI. I remember some of those we left there, but the ones I brought, I do not. We selected them for markings on them, because we wanted to trace the channels through which they had got there.

Senator TYDINGS. Fingerprints, and so forth?

Mr. BIELASKI. And initials. They all had initials. I was told that the particular one I referred to had the initials of the Office of the Chief of Naval Intelligence on it, so it had come to him personally.

After I turned over to the OSS the documents, of course the security officer was terribly chagrined. I said, "You don't have to feel so badly about this thing," and I handed him other documents from other departments and called attention to the fact that all of them had on them the stamp of the Department of State.

We had called down to the office a Major Donigan, who was Chief Legal Counsel of the OSS, J. J. Donigan, who is now practicing law in Newark, N. J.

Major Donigan, when he saw the material and realized the importance of it, nearly fainted—so much so that he couldn't talk.

Senator TYDINGS. Who is this?

Mr. BIELASKI. Major Donigan, who was Chief of Legal Counsel, OSS.

It was decided that the stuff should be taken up to General Donovan at once. He was upstairs. I believe he had just returned from a trip abroad. They wanted me to take it up, and I refused to do it, because Donovan had always kept away from me. I was under cover and I saw no reason at that time to violate the practice that we had established.

I turned it over to Mr. van Beuren, and he took them up with Major Donigan.

I had known him before this, and it was not necessary for me to go up.

Now, from there on, my knowledge of what happened, is more or less hearsay. It came to be in the course of my official duties, but there were reports brought to me by my agents, from FBI agents or other places.

I will tell you some of the things that happened, if you want to hear them, but I don't want you to think that it is first-hand evidence. It is not. It is something that I think you should know, and I can give you some names that can make it evidence, not hearsay.

General Donovan personally told me that he immediately called Mr. Stettinius on the telephone and told him he had the documents, they were all marked "State Department."

Mr. Stettinius was still in bed—it was about 10 or 11 o'clock in the morning—and it was arranged that General Donovan would go over to his house that night about 8 or 8:30, and General Donovan did go over, accompanied by Mr. van Buren, and at Mr. Stettinius' home, he met General Holmes. I believe Mr. Lyon of the State Department, was supposed to be there but didn't get there, and he didn't get into the picture until the next day.

General Donovan told me that he recommended to Mr. Stettinius that they immediately institute John Doe proceedings in the case, but that his advice was not followed.

I went back to New York.

Senator McMAHON. What do you mean, "Institute John Doe proceedings?"

Mr. BIELASKI. That, I don't know; except that General Donovan told me he wanted to swear out a John Doe warrant, arrest all these people, and bring them in and see where they were getting it, and see if he couldn't find out who was behind it, without naming them.

He told me, when he was assistant Attorney General, he had followed that procedure and it had worked very well. You probably know a great deal more about it than I do.

I went back to New York.

I know that within 48 hours—

Senator TYDINGS. Did he tell you who advised him not to do that? You say he wanted to do it but his advice was not taken?

Mr. BIELASKI. General Donovan advised Mr. Stettinius to do it but he said Mr. Stettinius did not follow his advice and, as a matter of fact, never spoke to him about the case after that.

Senator TYDINGS. Do you know why Mr. Stettinius didn't follow it? Did he say?

Mr. BIELASKI. No; he didn't.

Senator TYDINGS. All right, go ahead:

Mr. BIELASKI. He called in the FBI.

Senator TYDINGS. Who did?

Mr. BIELASKI. Mr. Stettinius called them in. I had told the security officer that the material I took would not be missed. There was no list of documents there. We looked for it. We felt that the documents were on their way back, because they were packed in a suitcase. They wouldn't miss the documents. Anyway, we figured that I hadn't taken 2 percent of them and there were so many of them they would never miss them; but, just the same I felt that they should act as quickly as possible, and we hoped that they would be able to get somebody on the job in New York within a week. They were there within a week. I think they moved in within 5 days. Mr. Gurnea, of the Department of Justice, who was assigned to the case, came up and organized the squad himself, organized the surveillance men, and put on telephone interceptions, and I think did a bang-up good job investigating that case.

Senator TYDINGS. Who is Mr. Gurnea?

Mr. BIELASKI. Mr. Gurnea was one of the supervisors of the Federal Bureau of Investigation.

Senator TYDINGS. In other words, General Donovan didn't tell the FBI. In fact, Mr. Stettinius called them and told them to go ahead with the thing.

Mr. BIELASKI. Yes, sir.

Senator LOUDER. Your entrance into the Amerasia offices had evidently not been noted by them?

Mr. BIELASKI. No, sir. There was a thought—

Senator TYDINGS. Did you say they got hold of wires and put surveillance men on them?

Mr. BIELASKI. Put them under surveillance.

Senator TYDINGS. How many days went by before action was taken?

Mr. BIELASKI. They continued their investigation until 5 weeks after, when they made six arrests.

Senator TYDINGS. Did they make—when was the first arrest made?

Mr. BIELASKI. In June.

Senator TYDINGS. When did you come down and see General Donovan?

Mr. BIELASKI. I came down the early morning of March the 12th. They were there from March the 12th until June the 5th or 6th, I should say.

Senator TYDINGS. When did they start to do that, how soon after you had come down?

Mr. BIELASKI. Within 5 days after I came down, they stepped into the job.

Senator TYDINGS. Go ahead.

Mr. BIELASKI. And they put, I think, roughly 75 men on the job. They had plenty of them and they did a good job.

My men of course were interested in the case and they knew the boys who were working on it, and they had progress of course from time to time, which, off the record, they brought to me. I knew what they were doing. I knew when they discovered that a writer on Far Eastern affairs for Colliers magazine was implicated, and I knew when a lieutenant commander in the Navy was implicated, though I didn't know the name of either one. They didn't discuss the names with us, but told us that much.

Senator TYDINGS. How they were getting along?

Mr. BIELASKI. Yes, sir.

Senator TYDINGS. I suppose that your progress reports showed they were trying to get everybody in the net that they could before they closed it, is that correct?

Mr. BIELASKI. Not only tried to do it, they were convinced they had done it by the time they made the arrests.

I knew, for instance, when the Chinese Communist delegate to the San Francisco Conference arrived in New York, because they told me. His name was Tung Pi Wu, and they said that as soon as he arrived in San Francisco he had come to New York, that their surveillance men knew that Jaffe had a conference with Tung Pi Wu and Browder, and I think it was held in Browder's apartment, although I am not sure. It might have been in Jaffe's, but it was a 5-hour conference.

I knew when they reported to me that Jaffe was known to have taken dinner on at least one occasion at the Russian consulate while this surveillance—

Senator TYDINGS. In New York?

Mr. BIELASKI. In New York, and that he was in touch with him frequently during that time.

Now, the arrests however came as a complete surprise to me, and I had never, up to that time, heard the name of Mr. Service, nor had I heard Mr. Larsen's name, nor had I heard Roth's name.

Senator TYDINGS. Was he arrested?

Mr. BIELASKI. He was the lieutenant commander in the Navy who was liaison between Naval Intelligence and the State Department. He was arrested. The only two I knew were going to be arrested were Philip Jaffe, and Kate Mitchell. The others, they didn't tell me their names, just told me they had them.

Senator TYDINGS. How many were arrested?

Mr. BIELASKI. Six. I want to say that another thing they told us, when they first moved in, the FBI boys on the job told my men that we had ruined the whole thing because of my taking these documents to Washington, it had been discovered, they thought, and there wasn't anything there when they moved in.

Well, as it turned out, they were wrong. They had simply gotten in when the stuff had come back to Washington, and they waited until the new lot came along, and all their reports deal with evidence which they saw, but they had no knowledge of the stuff which I and my men saw. I did not know that. So, until some months later, we did not have knowledge of the fact that on our first look, in which the OSS documents were there, then we moved out, and the lot that the FBI saw after they moved in was different, and I think there were four lots by the time they finally arrested these people, and it was a wholesale business.

I may say that while I did not look for it in our study of Amerasia magazine, we never found where any material from these documents had ever again been used by Amerasia magazine.

Senator TYDINGS. Outside of the one article?

Mr. BIELASKI. Outside of the one, we saw nothing that indicated they were using this material for their own magazine.

I want to say that some while later I came down here to Washington, and I met a man named Daniel O'Connor, who is a former agent of the Federal Bureau of Investigation and was an agent at that time, and who is now practicing law here in the District of Columbia—

Senator TYDINGS. Was an agent in 1945?

Mr. BIELASKI. Yes, sir; at that time; and, on this occasion, working on this case—I felt that I could talk to him, and I told him about our visit to Amerasia's office, and jocularly I said, "And, one thing we didn't find was any documents in there from the FBI, and I assure you I looked very hard to try to find one, because it would have been quite a feather to find one."

And, he said, "Well, I had better luck than you did." I said, "How is that? What do you mean?" He said, "I entered Larsen's apartment here in the District of Columbia and when I entered his apartment I found plenty of FBI documents in Larsen's possession."

Senator TYDINGS. Let me ask you there, for the record: Was the raid in New York and the raid on Larsen and these people in the District made simultaneously, or made with a lapse of a few days between?

Mr. BIELASKI. I don't know. I think they were simultaneously. Senator TYDINGS. I would imagine so.

Mr. BIELASKI. They should have been, and I imagine they were; but I think that O'Connor did what is known as a black bag job on his own. He is not supposed to do that, under the instructions from the FBI. I assume he slipped in and took a look, and that is what he saw. That if off the record, and they wanted to talk to O'Connor, but he was out West somewhere.

Senator TYDINGS. When? Who wanted to?

Mr. BIELASKI. Larsen found out later that somebody had been in his apartment, after he was arrested, and I think the superintendent told him it was O'Connor, and O'Connor just was not available.

So, the fact that the FBI documents were included in the documents these people took, I think the statement is significant.

Senator LODGE. Did they have the State Department stamp on them too?

Mr. BIELASKI. I can't say that. I do not know.

Senator LODGE. You can't say that all—

Mr. BIELASKI. All that I examined, did have the State Department receipt stamp on them.

Senator LODGE. Regardless of where they originated?

Mr. BIELASKI. Yes, sir.

Senator LODGE. But, if the FBI documents had a State Department stamp, there would be an inference they came from the State Department?

Mr. BIELASKI. They would be FBI—between the FBI and the State Department—left there and taken by Larsen. Otherwise, I do not see how they must have gotten there from the FBI, to the State Department. There must have been a change—

Senator LODGE. That is a point that should be elucidated.

Mr. BIELASKI. That would seem the logical answer.

Senator TYDINGS. Why, in your opinion, when they had so much of this evidence that seems to be so primary, in such volume, when they made their arrests, why didn't they click in court?

Senator LODGE. What?

Senator TYDINGS. Why didn't they click in court?

Mr. BIELASKI. Senator, that is the principal reason I am here. I would like to see that question answered, too. I know my men felt completely outraged when they saw the disposition made of those cases.

Senator LODGE. What was the disposition? You see, when this was going on, I was out of the country and I know nothing about it.

Mr. BIELASKI. Jaffe pled guilty and was fined \$2,500.

Senator LODGE. Pled guilty to what?

Mr. BIELASKI. Pled guilty to unlawful possession of Government documents.

Senator TYDINGS. In other words, he violated the very injunction stamped on the documents.

Mr. BIELASKI. He was not tried under the Espionage Act, stamped on there. He was tried, and charged with a minor offense, merely, anyone who steals or possesses or purloins Government papers, something of that sort. That is what he was charged with. He was indicted, I think, on a more serious charge but finally tried on that.

Senator TYDINGS. Let me get that straight. How many State Department employees, from your knowledge, were arrested among the six which you have enumerated?

Mr. BIELASKI. Two.

Senator TYDINGS. Who?

Mr. BIELASKI. Larsen and Service.

Senator TYDINGS. The other four—do you know whether they were ever connected with the State Department or not? Jaffe was one.

Mr. BIELASKI. Jaffe never had any connection. Kate Mitchell never had any connection. Roth never had any connection; he was a naval intelligence officer.

Senator TYDINGS. Was he arrested?

Mr. BIELASKI. Yes, sir. He was arrested, but naval intelligence managed to get him out of the Navy before he was arrested.

Senator TYDINGS. You have one intelligence officer working for the Government; two from the State Department; now, you have one more—

Mr. BIELASKI. Mark Gayn, a writer for Collier's.

Senator TYDINGS. Was he ever connected with the Government, either the State Department or any other branch, you have knowledge of?

Mr. BIELASKI. No.

Senator TYDINGS. Then, it looks like you had one naval man, two State Department men, and three outsiders in the net.

Mr. BIELASKI. Yes, sir; one of whom was a writer, of course, Mark Gayn, and admitted that he used this material.

Senator LODGE. Roth was a liaison between the Navy and State Department!

Mr. BIELASKI. And naval intelligence.

Senator LODGE. He was a naval officer!

Mr. BIELASKI. Yes, sir.

Senator LODGE. All right.

Senator TYDINGS. What was his liaison position; Navy to where?

Mr. BIELASKI. State Department.

Senator TYDINGS. To the State Department!

Mr. BIEASKI. State Department from the Navy.

Senator TYDINGS. Go ahead.

Senator LODGE. Tell us what happened as a result of these court proceedings.

Mr. BIELASKI. Well, Jaffe ultimately pled guilty to the minor charge and was fined \$2,500. Larsen pled nolo contendere, and was fined \$500; and three of them were not indicted.

Senator TYDINGS. What three?

Mr. BIELASKI. The three not indicted were Service, Mark Gayn, and Kate Mitchell.

Senator TYDINGS. How about that! The other three were indicted?

Mr. BIELASKI. Roth's charges were dropped against him, after a while, after Jaffe pled guilty.

Senator TYDINGS. Was he indicted?

Mr. BIELASKI. Yes; he was indicted.

Senator TYDINGS. Jaffe and Roth, and—who was the other? Kate Mitchell!

Mr. BIELASKI. No. Kate Mitchell wasn't indicted; just the three.

Senator TYDINGS. Jasie, Roth—he was naval intelligence—and—
Mr. BIELASKI. Roth and Larson.

Senator TYDINGS. Oh; and Larson.

Mr. MORRIS. How about Service? Excuse me.

Senator TYDINGS. Service was not.

Mr. BIELASKI. No.

Senator TYDINGS. Kate Mitchell was not indicted.

Mr. BIELASKI. No.

Senator TYDINGS. And Gayn?

Mr. BIELASKI. No.

Senator TYDINGS. Three indictments?

Mr. BIELASKI. Yes.

Senator TYDINGS. Two paid fines, and the third man was Roth, of naval intelligence?

Mr. BIELASKI. Yes.

Senator TYDINGS. Do you know about what happened to him?

Mr. BIELASKI. Well, I know that—

Senator TYDINGS. Did the Navy—

Mr. BIELASKI. The naval intelligence knew he was involved in it, but before the arrest took place they—

Senator TYDINGS. Do you know whether the Navy interceded for him before—

Mr. BIELASKI. The Navy eased him out of the service. If Roth had faced a court martial for what he was doing, they would have shot him.

Senator McMAHON. Why didn't they?

Mr. BIELASKI. But he was eased out of the service, and the Navy just got out from under; that's all.

Senator McMAHON. Was he a career man in the Navy?

Mr. BIELASKI. No. He had formerly been an employee of Amerasia; had contributed some three articles to it.

Senator TYDINGS. What was his background before he went in the Navy?

Mr. BIELASKI. He was a member of several Communist fronts. I know that from what naval intelligence told me.

Senator TYDINGS. Did he come from New York City?

Mr. BIELASKI. Yes, sir.

Senator TYDINGS. How old a man was he?

Mr. BIELASKI. I could only guess at—30.

Senator TYDINGS. Was he an educated man?

Mr. BIELASKI. Yes, sir; a college graduate with a master of arts degree at Columbia University.

Senator TYDINGS. What business was he in before he was in the Navy?

Mr. BIELASKI. He was with the Amerasia magazine at one time; had written some articles for it.

Senator TYDINGS. Before he went in the Navy?

Mr. BIELASKI. Yes, sir.

Senator TYDINGS. Did he continue to write after he went in the Navy?

Mr. BIELASKI. I don't think so; no, sir.

Senator TYDINGS. What is he doing now?

Mr. BIELASKI. Representing a newspaper. The last I heard of him, he went abroad.

Senator TYDINGS. What did he do besides write for Amerasia magazine, as far as you know—his career?

Mr. BIELASKI. I don't know.

Senator TYDINGS. So, your first knowledge of his life is when he started to write for Amerasia?

Mr. BIELASKI. Yes, sir.

Senator TYDINGS. And he went from there to the Navy; and, after he got out of the Navy, he did what?

Mr. BIELASKI. He went abroad, representing some newspapers—

Senator TYDINGS. Is he connected—do you know?—with the Government, or any of its ramifications, at present?

Mr. BIELASKI. Not that I know of.

Senator TYDINGS. What else can you tell us, Mr. Bielaski, sir? You have given us a very interesting morning.

Mr. BIELASKI. I know, Senator, that the men who worked on the case, FBI men, did a very good job. They felt that they did a thorough job. They have told me—and I will give the names of some of them—that they felt that they had investigated the biggest espionage case in the history of this country, and they felt, when nothing happened, they were thoroughly outraged and felt that the Department, the Bureau of Investigation—

Senator TYDINGS. There is one thing in your story that is not complete, and you may not know it; but, even if you don't, I am going to risk asking your opinion:

Evidently this Amerasia outfit had more than three people working for it up there. That is right; is it not?

Mr. BIELASKI. Yes, sir; that is right.

Senator TYDINGS. Why was it, in your judgment, that they got what we must assume are the principals in the matter, and didn't get more of the employees?

Mr. BIELASKI. I don't know, and I have often wondered.

Senator TYDINGS. Why didn't the FBI arrest the whole bunch?

Mr. BIELASKI. I wondered if it ever questioned them, because a great deal of information could be gotten.

Senator TYDINGS. How many people would you assume were working in the office, outside of stenographers; I mean, naturally, including the writers or editorial—

Mr. BIELASKI. In the front office, where I made my investigation, in the early part of the evening, I would say there must have been three or four persons working in there.

Senator TYDINGS. Would that include stenographers?

Mr. BIELASKI. I don't think they had many stenographers. There would be a bookkeeper.

Senator TYDINGS. Let's start from there.

Mr. BIELASKI. I would say about four.

Senator TYDINGS. Just for the purpose of my questions, leave out bookkeepers and stenographers. I am dealing with what I would consider the brains or direction of the thing.

Mr. BIELASKI. I couldn't so classify them, Senator.

Senator TYDINGS. You couldn't?

Mr. BIELASKI. No, sir.

Senator TYDINGS. How many employees in the whole place, would you assume? In all the rooms, counting everybody?

Mr. BIELASKI. Not over a half dozen.

Senator TYDINGS. Is that all?

Mr. BIELASKI. Yes, sir, in that magazine.

Senator TYDINGS. You mean, counting the bookkeeper, too?

Mr. BIELASKI. I should say a half dozen persons.

Senator TYDINGS. How big were these quarters for a half dozen people? Compared with this room you are sitting in, as to the floor space?

Mr. BIELASKI. I would say twice as big as this space.

Senator TYDINGS. Twice as big?

Mr. BIELASKI. The library was very well furnished. It was a library that had several thousand volumes in it; the walls were covered with it.

Senator TYDINGS. Did your investigation bring to light the people who were going in and coming out, who were not employees?

Mr. BIELASKI. No, sir.

Senator TYDINGS. It did not?

Mr. BIELASKI. No, sir.

Senator TYDINGS. Do you know whether the FBI did?

Mr. BIELASKI. I think the FBI did, and I think they have a complete record of who went in there and who came out.

Senator TYDINGS. Now, was any reason given the newspapers or press or the public at the time when the thing was finally settled?

Mr. BIELASKI. No, sir.

Senator TYDINGS. In the court, that is.

Mr. BIELASKI. No, sir. I personally sent a man down here and got the court record and read what the United States attorney had to say.

Senator TYDINGS. Did you testify in the case?

Mr. BIELASKI. I have never testified, given one word of evidence; never been called.

Senator TYDINGS. Did General Donovan?

Mr. BIELASKI. No, sir.

Senator TYDINGS. The FBI handled it all?

Mr. BIELASKI. Yes, sir.

Senator TYDINGS. You simply passed on your information to General Donovan?

Mr. BIELASKI. And stepped out.

Senator TYDINGS. Evidently, he passed it on to Stettinius. Stettinius passed it on to the FBI, and the FBI evidently had a surveillance on the place for weeks, and the arrests were made and the evidence was the thing to go and come on, rather than the people.

Mr. BIELASKI. That is right. I don't believe that the evidence, of itself, has ever been shown—even that which the FBI had—to the proper people; and I know that the evidence we saw has never been shown.

Senator TYDINGS. I am certainly obliged to you, and it may be that some of the other members would like to ask some questions.

Senator LODGE. I would like to ask some questions.

Did you ever get any evidence of the documents going out?

Mr. BIELASKI. After they were photostated?

Senator LODGE. Yes.

Mr. BIELASKI. No, sir. I don't know what became of those photostats. There was no evidence as to how they got out of the office, or where or what they did with them.

Senator Lodge. No evidence showing they got back to some enemy, or Communist or anything?

Mr. Bielaski. Only the fact that they were—Jaffe was in frequent contact with the Russian consulate in New York, and you can guess there. I am told by the FBI agents they didn't see him carry any documents in his hands while they had him under surveillance. That wasn't necessary.

Senator Lodge. Under what authority did you conduct the raid on the Amerasia office, in the first place?

Mr. Bielaski. I didn't ask for authority at the moment, Senator; but, since I have thought of the legal position, and I understand that the OSS was created by Executive order and that when it was created the order provided that it should take care of its own security, which means security from within and without, and proceeding on that basis as a Government agent, following something that had been stolen, I thought I had a right to go after it and bring it back.

Senator Lodge. Did you realize that in wars in the past the normal safeguards of search and seizure and habeas corpus had been suspended and probably in this war it would be all right to suspend them in the security of the country, if the security was involved? Did you realize that?

Mr. Bielaski. I realized we were at war, someone had stolen valuable secret documents from us, and I had to try to go get them, and I did.

Senator Lodge. You don't think therefore that the failure to prosecute the theft of these documents could soundly be based on the constitutional prohibition against search and seizure, because of the fact that there was a war, is that right?

Mr. Bielaski. I certainly think so, but I am not a lawyer.

Senator Lodge. I'm not a lawyer either.

Senator Tydings. You cannot set aside the Constitution in time of war.

Senator Lodge. I think they did it in time of war—he did it and got away with it and saved the country—

Senator Tydings. I am in favor of it, but I don't know how we can do it.

Senator Lodge. I can understand how a patriotic man like Mr. Bielaski would feel about a thing like that, and in fact, my thinking was proper, and I would have done it myself.

Senator McMahon. I agree that you did the right thing in going there, but amendment IV of the Constitution says:

The right of people to be secure in their person, houses, and papers and effects against unreasonable search and seizure shall not be violated. No warrant shall issue but upon probable cause, supported by oath or affirmation particularly describing the place to be searched and the persons or things to be seized.

That is amendment IV of the Bill of Rights.

Senator Lodge. Of course, my friend from Connecticut knows that if that had been followed, it would be impossible to protect ourselves.

Senator McMahon. There are two different things there: getting it and the ability to use the evidence in court to convict them. They are different things.

Senator Tydings. What could have been done, if you will allow me to interrupt, would have been to have had, as a result of Mr. Bielaski

or anyone else's investigation, an affidavit made out, a search warrant gotten, the place then entered and searched and the evidence would be admissible in any court, beyond question.

Isn't that correct?

Mr. BIELASKI. I felt the FBI had plenty of evidence without mine, and they so felt too. They felt they had this case tied up.

Senator McMAHON. Apparently, from what you said, we will have to question them.

I practically took notes of what you said about Larsen questioning O'Connor, and O'Connor wasn't around when Larsen wanted to talk to him; but there was something about having gone into his apartment.

Mr. BIELASKI. That is true, but I think that as a matter of policy with the FBI, I think they were justified.

Senator TYDINGS. That was a bad slip.

Senator McMAHON. Let's get this straight. This is now up against the legal proposition, in other words, the question of whether or not you can use evidence that is illegally obtained.

Mr. BIELASKI. You can't use it—

Senator McMAHON. And, of course, there can be no doubt about that. I mean, you couldn't sustain, cannot sustain any conviction based upon evidence that was obtained or seized contrary to the Constitution. No President or anybody else has got a right to suspend the Constitution.

Mr. BIELASKI. I noticed when you read that, that it says, "they shall be secure in their property and their papers." It doesn't say that they should be secure in Government property and papers they have stolen.

Senator McMAHON. Well, I will tell you, the question is—it is the premises, you see, that are sacred. What I am trying to do is tell you what the law is.

Mr. BIELASKI. Frankly, Senator, if I had known the law I wouldn't have stopped.

Senator McMAHON. Neither would I. I'm trying to explain to you, out of your story, this is all I know about it, the thing that hit me right away is, here is this bale of evidence but unfortunately it would not be admissible on the basis of your story.

Senator LODGE. Let me ask you this: One possible explanation of why these men were not indicted and found guilty, and everything, is the legal explanation you give, but it is by no means the only possible explanation, and you know that as well as I do; and the Constitution has been set aside by Presidents—

Senator McMAHON. No.

Senator LODGE. President Lincoln set it aside.

Senator McMAHON. He suspended the writ of habeas corpus, and as a matter of fact, no President of the United States can set aside the Constitution.

Please take that on my word.

Senator LODGE. I know what Lincoln did in the Civil War.

Senator TYDINGS. You can do it, but not legally.

Senator LODGE. I don't say it was legally, maybe one reason why the court didn't follow through on that—it may be, it is true that the reason they didn't indict and punish these men, as they should have done, is because of the legal aspect; but, there also may have been other reasons and it seems that the committee ought to go into the other reasons.

Senator McMAHON. That may be premature. I seem to remember—

Senator TYDINGS. Do not let us go into that.

Mr. BIELASKI. There are reasons, I don't know what they are. I know the Federal Bureau of Investigation men who worked on this felt that they had gotten the most severe kick in the face the department had ever gotten. They feel that way today.

Senator TYDINGS. Well, we will find out.

Mr. BIELASKI. I would like to give you the name of the men who wrote all the FBI reports on the case.

Senator TYDINGS. Would you like to ask some questions?

Senator GREEN. Did you come to the conclusion, from this little printing establishment, that apparently far greater than was necessary for bringing out this magazine, that the main purpose was for other than publishing the magazine?

Mr. BIELASKI. Yes, sir; very definitely.

Senator GREEN. None of this material apparently was ever used by the magazine.

Mr. BIELASKI. I am certain. That was my immediate impression. There were so many things there that could not possibly be explained by the operation of this little magazine.

Senator GREEN. You said something about discussing this matter with some people at a luncheon the other day.

Mr. BIELASKI. My three agents who were with me.

Senator GREEN. Discussing what you were going to testify here today?

Mr. BIELASKI. Yes, sir. I wanted to find out, not what I was going to testify here today, but wanted to find out if my recollection was accurate in some respects.

Senator GREEN. Refreshing your recollection?

Mr. BIELASKI. That is right, and on one or two points which we don't agree on, one man may say he saw an item in the library, but I might think he saw it in Jaffe's office, but they are minor details that, after 5 years, you may expect.

Senator GREEN. The reason I ask is, I think we ought to straighten it out. In your capacity as an agent of the Office of Strategic Services, and as a Government official during wartime, didn't you take an oath of keeping all the information secret?

Mr. BIELASKI. No, sir.

Senator GREEN. You didn't?

Mr. BIELASKI. No, sir; and I have the permission of General Donovan to testify before this committee, and disclose such facts as I have.

Senator GREEN. That is what I wanted to clear up.

Mr. BIELASKI. I have, and I asked his permission. I have gotten it, and he says if you wish to see him, he will come down here and verify it, and he can testify to the seriousness of the evidence that I turned over to the OSS.

Senator GREEN. Now, did you turn over, simply to the OSS, or give any of this information to the grand jury?

Mr. BIELASKI. No, sir; I was never before the grand jury. There were reasons for that. I was under cover in the organization, and I don't think they wanted to expose me.

Senator GREEN. What did you say the name of your organization was?

Mr. BIELASKI. In New York?

Senator GREEN. Yes.

Mr. BIELASKI. Research and Security Corporation.

Senator GREEN. Have you ever had another name for it?

Mr. BIELASKI. No, sir.

Senator GREEN. I know Mr. Bielaski, know his family, and know his forebears.

I wanted to be sure there could be no question.

Mr. BIELASKI. It was organized 2 years ago. If you want to know my directors, one was formerly Assistant Chief of the Federal Bureau of Investigation. One of them was Mr. van Beuren, who was security officer of the OSS. One was former chief of the British Intelligence in Russia, Mr. McPherson—all men of experience.

Senator GREEN. How many operators have you?

Mr. BIELASKI. Well—

Senator McMAHON. May I interrupt a moment?

It is 1 o'clock and I have a luncheon engagement. I have a few questions I want to ask Mr. Bielaski. I think if Senator Green will defer—

Senator GREEN. My question will be brief, and I also have a luncheon engagement.

Senator McMAHON. I suggest we adjourn for lunch and then come back. I think we are entitled to make our luncheon engagements.

Senator GREEN. I made one that I just dismissed.

Senator McMAHON. I'm not asking you not to meet your engagement. I'm asking the committee to recess for lunch.

Senator TYDINGS. Well, we will meet again at 2:30 this afternoon. (Thereupon, at 1:05 p. m., the committee stood in recess until 2:30 p. m. that same afternoon.)

AFTERNOON SESSION

Senator TYDINGS. All right, on the record.

Mr. MORRIS. Mr. Bielaski, as a result of your investigation at the time of your disclosures, did you know of any tie-in between the Amerasia office and the office of the Institute of Pacific Relations?

Mr. BIELASKI. I have testified that there was a close interlocking among the personnel in the upper level. I cannot say the directors, because they were not directors, but persons of that status—yes. I handed the committee a paper here which conveys all of my notations on that subject.

Mr. MORRIS. I didn't realize that.

Senator TYDINGS. He handed them in, and he also said that there were some people that were interlocking and also some people that seemed to be pretty respectable, a combination of both sides.

Mr. MORRIS. I must have been absent.

Mr. BIELASKI. I turned the paper over to him (indicating).

Senator TYDINGS. Do you have any questions, Senator Lodge?

Senator LODGE. In the material you found at the Amerasia office, was there anything you found dealing with atomic energy?

Mr. BIELASKI. There was nothing I recall. There was, on one secret document that I saw in the Hersey envelope something which referred to the A bomb, but what it said I do not remember.

Senator Lodge. Then, there was something about the atomic bomb.

Mr. BIELASKI. The A bomb. The word "atomic" was not there. It was referred to as an A bomb, in quotes, and at the time it meant absolutely nothing to me because I had never heard of an atomic or an A bomb, and it wasn't until months later that the significance of that particular document finally penetrated.

Senator Lodge. Did you have in mind the fact that in war, arrangements are sometimes made so that secret documents are stolen on purpose, in order to mislead the enemy? You have heard of that being done, have you not?

Mr. BIELASKI. I have heard of nearly all of the tricks in the business.

Senator Lodge. But, you do not think that that situation could have applied to the 400 secret documents in the Amerasia office?

Mr. BIELASKI. Would you please explain that again?

Senator Lodge. You don't think that the situation described could have applied to the documents in the Amerasia office?

Mr. BIELASKI. Explain that again, that situation.

Senator Lodge. I was going to put it to you, that in war there are occasions when a nation will make possible for one of its secret documents to be stolen, so that the enemy may be mislead.

Mr. BIELASKI. Oh no. It never occurred to me that that was the case here, and I don't think it was. That is dealing with double-agents, passing out some information in the hope of getting a greater return.

Senator Lodge. That isn't quite what I mean, in the hope of getting something in return—but in the hope of misleading the enemy, making them think you are going to do something you are not going to do.

Mr. BIELASKI. I don't think it applied in this case, Senator—not at all; certainly not according to my experience.

Senator Lodge. You think the documents were too numerous?

Mr. BIELASKI. Too numerous, yes.

Senator Lodge. And too genuine?

Mr. BIELASKI. And, too serious. I think these were taken maliciously. What became of them I don't know.

Senator Lodge. You don't know where they are now?

Mr. BIELASKI. I don't know.

Senator Lodge. Has the FBI got them?

Mr. BIELASKI. Those documents I saw?

Senator Lodge. Yes.

Mr. BIELASKI. No, sir. I think they went back to the State Department, were delivered there; and the documents the FBI got were an entirely different lot.

Senator Lodge. So, these 400 documents that were in the Amerasia office can now no longer be identified?

Mr. BIELASKI. No; they can't; not at all.

Senator Lodge. You brought them back into the pool?

Mr. BIELASKI. Yes; back into the—

Senator Lodge. Who is responsible for making that decision?

Mr. BIELASKI. Well, those documents were never lifted. I left them there. I took from 12 to 14. The rest were left there and in the normal course of the operation, that they were conducting, they were taken back after, presumably, they had been copied or photostated.

Senator Lodge. I don't make myself clear. You were in there that night and found 400 documents; is that right?

Mr. BiELASKI. That is right.

Senator Lodge. Not copies, originals.

Mr. BiELASKI. That is right.

Senator Lodge. All right. What I want to know is what happened to those 400 documents?

Mr. BiELASKI. They were taken by Jaffe back to Washington and presumably delivered back to the State Department. I don't know that.

Senator Lodge. By Jaffe?

Mr. BiELASKI. That is just my guess.

Senator Lodge. I thought you said the FBI went there, and put 75 men on the thing and tapped the telephones and set up surveillance and tied up the whole case in a knot?

Mr. BiELASKI. But, that was 3 months before the FBI did that. The FBI, when they did that, that was 5 or 6 days after we had been there and they found no documents; and for that reason, they thought that we had spilled the beans by taking 14 of them. They thought that Jaffe and his crowd had become aware of it, but that turned out to be not the case. It was simply a period where documents had come in, been photostated and gone back, and another lot was coming, because the FBI did get the next lot that came in.

Senator Lodge. How long was it after the time you told General Donovan about this, that the FBI got on the job?

Mr. BiELASKI. They got there on the job within 5 days, and stayed on the job for 3 months before they finally smacked down on them.

Senator Lodge. When they smacked down on them, did they find no documents stolen?

Mr. BiELASKI. Yes, sir; but that was probably the third lot they smacked down on. It ran into hundreds. I think there were 407 documents they got out of Jaffe's office.

Senator Lodge. What did they do with those?

Mr. BiELASKI. They still have them. I have been told they have 13 volumes of evidence up there.

Senator Lodge. I think this committee ought to notify the Department of Justice to impound those documents right now.

Senator TYDINGS. Will you do that, Mr. Morgan?

Mr. MORGAN. Yes, sir.

Senator Lodge. There is no objection to that, I presume, on the part of the members?

Senator TYDINGS. No.

Mr. BiELASKI. And, over 200 documents they seized in Larsen's office.

Senator Lodge. To me, this is terribly serious. I never heard of this before. I was in the Army when this happened, and if you lost one document in the Army, if that happened to you, you ought to shoot yourself. A thing like this, of 400 major documents—

Senator TYDINGS. Off the record.

(There was discussion off the record.)

Mr. BiELASKI. Of my knowledge, the total number of documents involved exceeds a thousand—there is, 400 that we saw, and I think the FBI seized 407 in Jaffe's office later.

Senator Lodge. Different ones.

Mr. BIELASKI. Different ones, and 280 some that they seized in Larsen's apartment, here in Washington.

Senator LODGE. What happened to them?

Mr. BIELASKI. The Department of Justice has them.

Senator LODGE. Still has them?

Mr. BIELASKI. Yes, sir.

Senator LODGE. So, they have not been returned?

Mr. BIELASKI. And probably they photostated other documents that came in between what we saw and what they seized.

Senator LODGE. Of the people that were implicated in this, do I understand you to say that only one is now still in the service of the State Department, and that is Mr. Service?

Mr. BIELASKI. Yes, sir, because there were only two implicated, Larsen and Service; and, Service is the one that is still there.

Senator LODGE. What happened to Larsen, do you know?

Mr. BIELASKI. Larsen was fined \$500.

Senator LODGE. Did he get out of the State Department?

Mr. BIELASKI. Oh, yes; he got out of the State Department.

Senator TYDINGS. He is out.

Senator LODGE. Under what circumstances did he get out?

Senator TYDINGS. He was fined and dismissed.

Senator LODGE. They dismissed him?

Senator TYDINGS. That is my understanding.

Mr. BIELASKI. I know he applied for a job and was going to be taken on, in another Government department, and I heard about it and saw that he didn't get the job.

Senator LODGE. That is an explanation I can understand.

I would like to have somebody give me an explanation of why Service was retained.

Senator TYDINGS. We will get that, I think, in time.

Senator LODGE. That is all, for the moment.

Senator TYDINGS. Senator Green?

Senator GREEN. This morning, I asked you what the name of the agency was, what was your reply?

Mr. BIELASKI. Research and Security Corporation.

Senator GREEN. And I asked you if you had ever had another name and you said "No."

Mr. BIELASKI. No, sir, never had another name. This was organized after the war.

Senator GREEN. Was it the successor of another agency?

Mr. BIELASKI. No, sir.

Senator GREEN. What was the Seaboard Bureau of Public Relations? That was the name of your agency at one time?

Mr. BIELASKI. That was a company in which I was interested some 11 years ago, yes, sir.

Senator GREEN. That was your agency, the same as the present one is?

Mr. BIELASKI. Yes, sir; probably more than the present one is. The present one is a stock corporation.

Senator GREEN. In the interval between the two—did they exist at the same time?

Mr. BIELASKI. No, sir.

Senator GREEN. One succeeded the other, is that the truth?

Mr. BIELASKI. No, sir.

Senator GREEN. How long an interval was there between them?

Mr. BIELASKI. An interval of the war, 5 or 6 years.

Senator GREEN. Which war?

Mr. BIELASKI. The last war; and, an additional year where I stayed with the War Department an extra year.

Senator GREEN. When did the Seaboard Bureau of Public Relations go out of existence?

Mr. BIELASKI. 1939 or 1940, I think. I am not sure of which year it was.

Senator GREEN. Why did it go out of existence?

Mr. BIELASKI. Because I got disgusted with the business of investigating and swore I would never investigate any more. That is a simple answer to it.

Senator GREEN. Then, you were interested enough to take it up again?

Mr. BIELASKI. I couldn't help it. General Donovan sent Colonel Harrington to me, and I was just persuaded to do it. I don't like it now.

Senator GREEN. When was the agency formed; the new agency?

Mr. BIELASKI. I don't call it an agency. It has a license to investigate, but it is in the business of investigating. Practically all my men are former FBI men, and lawyers.

Senator GREEN. When was that? Is it a corporation?

Mr. BIELASKI. It is a corporation under the laws of the State of New York.

Senator GREEN. When was it incorporated?

Mr. BIELASKI. Two years ago.

Senator GREEN. Did it do any business before it was incorporated?

Mr. BIELASKI. No, sir.

Senator GREEN. I think that is clear.

You think the other one went out of existence about 1939 or '40, you don't remember which.

Mr. BIELASKI. I don't. It was either late '39 or early '40.

Senator GREEN. When you testified, you testified here before in Washington on Government investigations, did you not?

Mr. BIELASKI. Oh, yes.

Senator GREEN. Was it at that time the Seaboard—

Mr. BIELASKI. Which testimony do you refer to, testimony before the Senate committee?

Senator GREEN. Yes.

Mr. BIELASKI. It was the Seaboard Bureau of Public Relations at that time, that I was interested in—yes, sir.

Senator GREEN. And it was wound up shortly after that?

Mr. BIELASKI. Yes, sir.

Senator GREEN. Thank you.

Senator TYDINGS. Senator McMahon, do you want to ask some questions?

Senator McMAHON. Mr. Bielaski, on this paper in which there was written "A-bomb," do you recollect anything beside just the title?

Mr. BIELASKI. I don't recollect what was in the body of the document; no.

Senator McMAHON. It wasn't a legal document?

Mr. BIELASKI. No; it was not. It was about, as I say—it was on newspaper reporting paper, the kind of stuff that he writes on, this rough, white stuff which was about that wide, and it was only about that long [indicating]; and, as I recall it, all six of these documents were single spaced, so that it would be, you could get it in that much single spacing.

Senator McMAHON. They were in Hersey's envelope?

Mr. BIELASKI. In Hersey's envelope, not in a bunch, but the six were slipped in between these other documents. If we hadn't looked carefully, they wouldn't have found them.

Senator McMAHON. Did they all relate to the bombs?

Mr. BIELASKI. I can't say that. I know one of them related to the disposition of the Japanese battle fleet, but as I recall, Senator, all of them related to battles, battle intelligence, and was not diplomatic material or anything of that sort. It was combat material, and my impression of that was not distinct at all, all the details are hazy.

Senator McMAHON. Do you remember whether there was a time stamp of the State Department on that one?

Mr. BIELASKI. I don't know, don't think so.

Senator McMAHON. Was there any identification of what department it had come from?

Mr. BIELASKI. There was no indication on any of those six documents as to where they came from; although I have the impression, based on nothing except my recollection, that they were all concerned with the Navy or Navy intelligence. I may be mistaken about that.

Senator McMAHON. Were they among the ones that you brought down?

Mr. BIELASKI. I didn't dare touch those, because I thought they would be surely missed, if I took them, and there was such a mass of material.

Senator McMAHON. When you had your conversation the other day with your men who were working on it, is that one of the things you had to refresh your recollection on, or do you remember?

Mr. BIELASKI. No. They agreed with me on all of the things except the documents in that Hersey envelope. I didn't discuss them with them. I discussed them with one man, Mr. Oleson, who found them, but he don't have an exact recollection of what they contained. He was more concerned with the list of the troops of the Chinese Nationalist Army, that is the thing that stuck out in his memory, although one did recall the disposition of the Japanese fleet after the battle of Leyte. He remembers that vividly. He says he thinks it was on Jaffe's desk, but it wasn't. We have differences of opinion in that respect.

Senator McMAHON. Let me get it clear. How many documents did you bring down to Washington?

Mr. BIELASKI. Fourteen.

Senator McMAHON. Fourteen?

Mr. BIELASKI. Yes.

Senator McMAHON. As far as you know, they stayed here?

Mr. BIELASKI. No. General Donovan took them over and handed them to Mr. Stettinius and says "That is your baby, and you can have it."

He even took the four or five back that originated in OSS, because the stamp showed them to have come from the State Department and he wanted to put them back where he thought they belonged.

Senator McMAHON. You don't know what Mr. Stettinius did with them after he got them?

Mr. BIELASKI. I do not. I know subsequently there were 50 additional documents found that originated in OSS, and each time they were found, the FBI came to the Security Office with a photostat and said, "Can you identify this document?" And they were identified by the security officer.

Senator McMAHON. Did you make copies of those 14 documents?

Mr. BIELASKI. No, sir. Mr. Van Beuren made a memorandum of those documents, the titles of them, and we have been unable to get that memorandum, if it is still in existence. It would be in the possession of the CIA, and certainly I can't get anything from them.

Senator McMAHON. They would give it to this committee, though.

Mr. BIELASKI. If they have it.

Senator McMAHON. If they have it; and, was that a copy then, or simply a listing?

Mr. BIELASKI. That was simply a listing of the titles and the relative degree of secrecy attaching to each document.

Senator McMAHON. Have you told this story to any other congressional committee?

Mr. BIELASKI. I have told part of it to a subcommittee of the House Committee on the Judiciary, back in 1946. I did not tell it all. At that time I asked them to let me tell them the story, under an assumed name, because I was then engaged with the War Department and was trying to find some additional documents that were stolen from us, from the United States in Cairo, and published in the Communist newspapers in Athens, Greece; but, I didn't want my name in those reports to be made public, to come out so that they could know who I was and what I was doing.

Senator McMAHON. What name did you testify under?

Mr. BIELASKI. Frank Brooks.

Senator McMAHON. Frank Brooks?

Mr. BIELASKI. My first and second names.

Senator McMAHON. I see.

Mr. BIELASKI. Let me tell you when I first went into the OSS, I embarked on a project which was very secretive, and those of us that were engaged in it had to lose our identities, and remove all markings from our clothing, and everything else, and I was known then as Frank Brooks, and they called me Frank Brooks after that, and I couldn't get rid of it. It is one of those things and that is why I have insisted on being called Frank Brooks Bielaski, which is a continuation of the name.

Senator McMAHON. When you testified before that committee, in general, is there any reason why you didn't give them all the story that you had?

Mr. BIELASKI. No particular reason, except for the lack of time. We were very pressed for time. No reason at all.

Senator McMAHON. What part of it did you give us today that you didn't give to them?

Mr. BIELASKI. I may have given you some additional details, but I don't know what they are. I think in general I sketched the whole

thing for them, except, it is possible at that time I simply referred to the bomb as—this secret message on the bomb as a new bomb, because at that time, in 1946, it had not yet penetrated my stupidity, if you want to call it such, that it had added significance, because I didn't know of the atomic bomb for a long time and even after it was used, I was not very familiar with it because I was busily engaged in other things.

Senator McMAHON. Do you remember when it was in 1946 that you told this story to the House committee?

Mr. BIELASKI. I don't know. I would say it must have been in the spring, because they issued a report after the House adjourned. The House had adjourned for a week before the report was issued, and I don't think anybody paid any attention to it.

Senator McMAHON. There is a record of your testimony, you think?

Mr. BIELASKI. I think there must be, although I don't know.

Senator McMAHON. And you say you referred then to it as a new bomb instead of an "A" bomb?

Mr. BIELASKI. I said that I had a recollection that the third document which I read in the Hershey envelope or folder, referred to a new bomb. I told them that I was sorry, but I only remember that it was about a bomb, that was the only thing that registered in my mind. I considered it a piece of ordnance.

Senator McMAHON. Did anybody, a member of the committee examining you, suggest that maybe it was an "A" bomb?

Mr. BIELASKI. I don't think they suggested a thing, Senator.

Senator McMAHON. By and large, I suppose you gave the committee just about everything you knew about this situation. They were inquiring into the Amerasia case?

Mr. BIELASKI. They were inquiring into it from a little different angle. I understood that they were inquiring to see if any undue influence had been brought to bear on the Judiciary.

Senator McMAHON. Or any misdeeds by the Department of Justice personnel?

Mr. BIELASKI. I don't know as to that, but rather as to any malfunction on the part of the Judiciary—that was the principal thing, and that was the reason why they got into it.

Senator McMAHON. I think, and very properly so; but of course the Judiciary Committee, you see, has supervision, so far as the Congress is concerned, for the House and for the Senate, and in our case it would be the Senate, over both the Judiciary and the Department of Justice, so if they were going to make an inquiry into the Amerasia case, which they did do, one of the purposes of it would be to see that they find out the full and complete story.

Mr. BIELASKI. I know they did subpoena the people I suggested, and I saw part of the testimony which was shown—the testimony concerning Mark Gayn, and the testimony of Mr. Gurnea, the gentleman who conducted the investigation in New York; and, if you will let me, I would like to tell you what it said, because that is another reason why I could never understand the disposition made of this case.

Senator McMAHON. What I want to know is everything you know.

Mr. BIELASKI. All right. Mark Gayn said, when they arrested him, that yes, he got material from Jaffe, but it always came to him in typewritten form, and he had no knowledge whatsoever of where it came from; he had never seen any Government documents; that he

was just the willing recipient of valuable information. He didn't question how they got it, and they asked him "Did you go before the grand jury and testify on that?" and he said "Yes," and he did and the grand jury didn't indict him.

And they later on, while Mr. Gurnea was again testifying, said, "What did you do with the documents you seized in Jasse's office?" He said, "We processed them all, put them through the laboratory."

They said, "What did you find?" And he said, "We found finger-prints." And one of the congressmen said, "Did you find the finger-prints of Mark Gayn?" And he said, "Yes; they were all over them."

Senator McMAHON. On the originals?

Mr. BIELASKI. The original documents found in Jasse's office.

This congressman said, "To me, that is a *prima facie* case of perjury. Can't you do anything about it?" And the answer was "No"; they found out that Gayn's articles that he had written, had been approved by the censorship up in that district, and therefore they let it go.

I don't think that had anything to do with the fact that—

Senator McMAHON. I don't either. I think we have got to get an explanation for that.

Tell me who was on that committee that went into that. Do you remember?

Mr. BIELASKI. It was known as the Hobbs committee. I have forgotten. Now, I have for the first time recently gotten a copy of their report, and I was very much surprised to know that there was no mention whatsoever of any of the evidence I gave them off the record.

Senator LODGE. What?

Mr. BIELASKI. I don't mean off the record—

Senator McMAHON. As Frank Brooks.

Mr. BIELASKI. Yes, sir. I was still, you see, the director of investigation for the SSU, and I was very apprehensive about talking about it, and showed them my credentials, which they accepted, and I said "I would like to tell you the facts about that case," and I did, to the best of my ability. They didn't question me, and let me go right away.

Senator McMAHON. I think that is a good argument. I can see why you testified under that name, but I think it is important to this committee to know—that the testimony that you have given us today about the Amerasia case is the testimony that you gave the Hobbs committee in 1946.

Mr. BIELASKI. I think it is just exactly, with the possible exception that I have added some details because I have had more time to consider it.

Senator McMAHON. Of course, you may have added because you had more time to consider, but it also gave you a little more time away from the thing—

Mr. BIELASKI. And, more chance of error.

Senator McMAHON. Yes; more chance for error.

Mr. BIELASKI. I admit that, frankly, but I don't think—

Senator McMAHON. I am not drawing that conclusion, please believe me. I am just trying to get the situation in order. I am very much interested in this report.

Senator TYDINGS. Excuse me. We have a problem. The Washington Star, I understand, is coming out with big headlines that the Amerasia case has developed—

(There was discussion off the record.)

Senator McMAHON. Did you make available to that subcommittee any copies of any correspondence, any of these papers—to your memory?

Mr. BIELASKI. No; I did not.

Senator McMAHON. You didn't have any in your possession?

Mr. BIELASKI. No. I gave Mr. Dondero some material. Mr. Dondero had already made some speeches about the Amerasia case, and I stopped Mr. Dondero and volunteered to give him some.

Senator McMAHON. Congressman Dondero?

Mr. BIELASKI. Yes, sir, which I did; but I never gave anybody else any papers.

Senator McMAHON. What kind of material did you give him?

The only purpose of that, Mr. Bielaski, is for the purpose of ascertaining whether there is something in that record over there that will help us at all.

Mr. BIELASKI. You will find something in his speeches where he took exception to the handling of the case, and saying that the character of the material was far more serious than was indicated; and, he mentioned particularly the document about the Chinese Army, and one or two others; and I had at that time a memorandum of the cases which these two men had listed before I stopped them, when we were in Jaffe's office. I cannot find that memorandum. It did have the titles of about 10 of these documents on it.

Senator McMAHON. Was the Dondero investigation or the Hobbs investigation pretty thorough as an investigation?

Mr. BIELASKI. No. They had no one investigating for them.

Senator McMAHON. Did they call the Department of Justice up?

Mr. BIELASKI. No, as far as I know; they accepted a report by a so-called research analyst, as to the character of the documents they had seized, and his report in general was, well, they were not so important after all; their importance has been exaggerated.

That I could not agree to. I think that was wrong.

Senator McMAHON. Did you ever hear any talk or discussion along the way about the defense of violation of the constitutional provision of search and seizure as being a phase of this matter?

Mr. BIELASKI. No.

Senator McMAHON. Nobody ever said anything about that?

Mr. BIELASKI. Because they never used—the only person that might be involved was by my own action, and they never used my evidence. I was never brought in. I think the Department of Justice, the FBI didn't want to bring me in because I was still an undercover man.

Senator McMAHON. You have been in the business for a long, long time.

Mr. BIELASKI. Too long.

Senator McMAHON. How many years?

Mr. BIELASKI. I would like to get out. I have been in it 12 or 15 years, and before that I was doing financial investigating with a corporation.

Senator McMAHON. Let me ask you, you are not an attorney?

Mr. BIELASKI. No.

Senator McMAHON. I don't know, but that is one of the things I want to find out—why this case got the disposition it did; but, as a lawyer, and one who has had some experience in criminal cases, and some of some importance, the first thing that strikes me, or that struck me, when told us about it, was the fact that anything you did get by way of your nocturnal visit, was not admissible in evidence.

Mr. BIELASKI. Well, it never was used as evidence, my part of it.

Senator McMAHON. It seems to me that the FBI, knowing that you had gotten it surreptitiously, rightfully so—do you follow me?

Mr. BIELASKI. Yes.

Senator McMAHON. That they would have gotten a writ of search and seizure.

Mr. BIELASKI. They did. Their evidence was legally obtained.

Senator McMAHON. Was it?

Mr. BIELASKI. Oh, yes, and they took—they planned the thing very carefully. The men who had been in there once before, dropped out of the picture. The men who made the arrests were new men.

Senator McMAHON. How about this fellow—what is his name—the Irishman who went to California?

Mr. BIELASKI. He went in Larsen's apartment before the seizure was made, just as I went in Jasse's office before the final FBI raid was made there.

Senator McMAHON. Well, you see, this is no place to argue the law, but being a lawyer I would like to discuss it, and the proposition is this: If you go and break into a person's house and you learn that there is evidence there—follow me?

Mr. BIELASKI. Yes, sir.

Senator McMAHON. And then return, get a writ of search and seizure, and come back and pick up that stuff, that doesn't help you, follow me?

Mr. BIELASKI. Yes.

Senator McMAHON. The original entrance vitiates the search-and-seizure warrant, because otherwise there would be no protection at all.

Well, thank you very much. That is all I wanted to ask.

Senator TYDINGS. Mr. Morgan may have some questions he would like to ask.

Mr. MORGAN. I think Mr. Bielaski gave a rather complete story. I do have a few questions.

Senator LONGE. I have to go on the floor.

Mr. MORGAN. I would like to take care of a few thoughts that have occurred to me with respect to John Hersey.

Mr. Bielaski, I wonder if that information has been passed on to the Bureau, the FBI?

Mr. BIELASKI. No.

Mr. MORGAN. They don't know about it?

Mr. BIELASKI. It never has been, and I have been very reluctant to do anything about it. I don't know; I have heard some statements about Mr. Hersey. I have nothing about it; I know that 5 years have gone by and Mr. Hersey has certainly seen a great deal about the Amerasia case, and has never come forward to say that "I happen to have been there," and make an explanation about it. He has never opened his mouth about it. I think therefore that Mr. Hersey should be required to explain why this stuff was there under the circumstances.

I have never mentioned it.

Senator McMAHON. May I break in there?

I have explained to the chairman that I had this engagement; I didn't know we were coming back this afternoon, and I would like, after Mr. Bielaski is through, and before Mr. McInerney testifies—if you would give me a recess for about 15 minutes.

Senator TYDINGS. How would this do: So that we can accommodate everybody, how about letting Mr. Morgan go on with Mr. Bielaski, and then when he finishes, we will take a recess for 15 minutes.

Now, at that time, I would like—I know Mr. Bielaski wants to get away, and at that time, we will let him go. If you want him back, we can call him back.

How long will you want?

Senator McMAHON. I will be back; it is 20 minutes after 3 now, and I should say that I will be back here about 10 minutes of 4. Could we make an agreement that we could get back at 4 o'clock?

Senator TYDINGS. Yes; but let Mr. Morgan and Mr. Morris go ahead.

Senator GREEN. I would like for you to preside, I have to go to my own office and I will be back in 5 or 10 minutes.

(Senators Tydings and McMahon left the room, and during the absence of Senator Tydings from the room, Senator Green presided.)

Senator GREEN. Proceed.

Mr. MORGAN. The committee, as I understand it, is trying in every instance where it can, to pass information on to the Bureau that may be of significance to its inquiries, and I just thought in connection with Mr. Hersey, since he has not given that to the Bureau, if it would be satisfactory from your standpoint for us to pass this information on to the FBI?

Mr. BIELASKI. Yes, sir; as long as you understand there is nothing in my statement, I have nothing against Mr. Hersey, one way or the other, and there is no explanation to offer as to why he was there, but I think it should be known to the committee, just what the situation was.

Mr. MORRIS. Excuse me. That was in the report that you made back some years ago that Mr. Hersey was there.

Mr. BIELASKI. I made a résumé of this thing within 2 weeks after it happened, dictated a memorandum for my own convenience, to refresh me, and it is only a page or a page and a half and in there I think I mentioned Hersey's name. I'm not positive.

Mr. MORGAN. My only thought was that it seems his name is of some significance, and the Bureau would probably like to have it, and if you have no objection to—

Mr. BIELASKI. I have no objection whatsoever, and I'll tell you the reason why I never did mention that; never did anything for a long time; I was under the apprehension that when the Bureau first came in, they probably saw it, and it wasn't until some while after that I found they had not seen it, that all that stuff had moved out and they saw an entirely new lot; so they didn't see the Hersey documents, and didn't see many of the other documents I mentioned.

Senator GREEN. Mr. Bielaski, you referred to a memorandum you made 2 weeks after the time—

Mr. BIELASKI. Yes, sir.

Senator GREEN. Have you got it still?

Mr. BIELASKI. Mr. Morgan has got a copy of it.

Mr. MORGAN. I have a copy of it.

Mr. BIELASKI. I haven't a copy left.

Mr. MORGAN. Another question that I have, I don't believe we have in our record here the listing that you made of those documents at the time of your raid. Is that available in OSS today, I mean, the counterpart of OSS?

Mr. BIELASKI. CIA. I don't know. I would like to know that, but it should be there, if they have preserved the old OSS files, and I think they have, and as a matter of fact, I thought I had a copy of it. I have searched my files but I haven't been able to find it. If I do, I will be very glad to give it to you. I expect that it is somewhere where I have stuck it away, out of the way.

Senator GREEN. Off the record.

(There was discussion off the record.)

Senator GREEN. You have no objection to that memorandum being put in the record?

Mr. BIELASKI. No, sir.

Senator GREEN. And that is a correct copy that you have given counsel to the committee?

Mr. MORGAN. That being the case, Mr. Chairman, I would call attention of the reporter to a report dated April 12, 1945, designated here by an operative number, I presume that is your number, is it Mr. Bielaski?

Mr. BIELASKI. What is that?

Mr. MORGAN. 120.

Mr. BIELASKI. No, the case—the number is New York, 120.

Mr. MORGAN. This is your report?

Mr. BIELASKI. That isn't the report. That is the memorandum written for my own edification. I thought sometime I would want to be reminded, and I hastily dictated the principal spots of this thing.

Mr. MORGAN. This memorandum was never delivered to anyone in the Government?

Mr. BIELASKI. No, it has stayed in my files.

Mr. MORGAN. And, there is another memorandum dated May 21, 1945, which I would ask you to identify. Is that also a memorandum prepared by you?

Mr. BIELASKI. Yes, and this "To: A. vB," and "A. vB." is for Archbold van Beuren, and the "From: FDB" they addressed me "FDB" instead of "FBB."

Mr. MORGAN. I will hand that to the reporter at this point and ask to have them put in the record and then returned to me.

(The memoranda referred to are as follows:)

APRIL 12, 1945.

MEMORANDUM

(New York, No. 120)

On Wednesday, February 28, 1945, A. vB. came to this office for a discussion. He told me that our Department was faced with new evidence that there was a leak somewhere, and in substantiation of this statement, showed me a secret document gotten out by one of the divisions of the Office of Strategic Services which treated with the differences between the British policy toward Thailand and that of the United States Government, and analyzed the basic reasons for the difference in policy. He then showed me a copy of Amerasia magazine, in which the principal article was one dealing with conditions in Thailand. It

was obvious from reading the article in Amerasia that the person had access to the secret document to which we make reference. In a great many places, the wording was identical and the phraseology such that there could be no mistaking the fact that the writer must have had before him either our secret document or a copy thereof.

In response to my request, Mr. Van Beuren gave me a list of persons to whom copies of the secret document were sent. Many were in our own Department, some in the Department of State, at least one each in Naval and Army Intelligence, and a single copy each to a half dozen of our foreign offices. There were probably a total of 30 persons to whom copies of the secret document were sent.

Mr. Van Beuren wished that something be done to trace the source of the leak. We discussed the impracticability of checking on the behavior of all the persons to whom the secret document was sent, plus those persons who may have had access to it in each of the offices to which it was sent. We pointed out that proceeding from the Washington angle would take a very large force of men such as we have never had available. We promised Mr. Van Beuren that we would do something about it.

A study was made of all the data available, particularly of the Amerasia magazine. It was noted that the article to which reference was made, while the principal one of that issue, was unsigned. We did the usual amount of work in finding out by whom the magazine is owned and operated, where located, and something of the background of the individuals prominent in it.

We decided that the best way to solve this problem was to strike right at the heart of it, and therefore determined to visit the offices of the Amerasia magazine at 225 Fifth Avenue. This was arranged in a manner which we do not care to describe and through a channel which we do not care to identify. We attempted to make a preliminary survey of the quarters one evening in the week of March 8-10, but found the offices in use very late at night, and at least one person working there diligently.

We were able to enter the premises on the night of Sunday, March 11, at midnight. Present were B-1, B-2, O, and L-2, together with one outside person, a specialist. The offices which were entered had been in use on Sunday up until 5 p. m.

Our force scattered through the offices which were larger than we expected, and each worked on the task to which he had been assigned. All the files in the front office were given a quick but thorough search to identify them, and were found to refer to dealers, newsstands, and matters concerning circulations. The correspondence had to do with subscriptions and collections. The front office was quite obviously the business office of Amerasia. From figures found it was evident that the circulation of the magazine had been decreasing steadily, having dropped from approximately 2,600 copies to 1,700. The number of dealers handling the magazine had decreased from something over 500 to slightly over 300. The downward trend was steady and consistent.

Attention is directed to the fact that in the second room back in the suite to the right of the hall, there is located a very large photocopy room, where there was equipment sufficient to produce a large quantity of photocopies. There is no reason to believe that photocopying is any essential part of the process of getting out this little magazine. There was no material in the photocopy room in process. In the rear of the office suite, there were three principal rooms, one the office of Kate Mitchell to the left of the main hall; to the right of the main hall at the end was the office of the editor-owner, Philip Jaffe. The main room to the right of the hall is a very large library, which contains hundreds of volumes and a great many that dealt with the Far East, and among these, many concerned with communism in China.

The library seemed to be far larger than justified by a magazine of the type of Amerasia. On the library table, there was an envelope containing quite a few documents, legal size, all seeming to deal with the Far East. While the letters were the size and shape of the typewriter, the indications were that the documents were not typewritten but possibly mimeographed. Each document had written across the top "John Hersey." In with these mimeographed documents were found six documents evidently hastily copied on a typewriter from the original and all marked "Top Secret." Upon perusal, these documents seemed to have origin in the Navy. They dealt with the disposition of the Japanese Fleet subsequent to October 1944, giving the location and class of each ship. The second document dealt with the schedule and targets for bombing in Japan. All were of recent date, either late in 1944 or early in 1945, and all (this is repeated for emphasis) marked "Top Secret."

In the office of Philip Jaffe there was found a bellows-type suitcase and two brief cases. The suitcase was designed for the carrying of documents and not clothing, and had many compartments in it. The suitcase was marked with the initials of Philip Jaffe, "P. J. J."; as I recall, the brief cases were so marked. In the three receptacles were found scores of secret documents. They came from various Government departments. Many were from the State Department, many from Naval Intelligence, many from Army Intelligence and quite a few from the OSS. In one brief case was found a typewritten original copy and three or four carbon copies of the secret OSS document which was the object of our search. This typewritten material had evidently been prepared in the office where we then were, and must have been copied from the original document.

The original document was not present, and our assumption was that it had been returned. On the desk, which obviously was that of Philip Jaffe, were found many documents from the State Department, some of which had been photostated. There were so many of these documents of all kinds that we felt it safe to take a reasonable number as evidence of our find, and the highly secret nature of the documents there. We took four or five documents marked "Secret" which originated with the OSS. All of these were stamped to the effect that possession of such articles by an unauthorized person constituted a violation of the Espionage Act. All of these documents, as stated, were marked "Secret." We took some photostat copies of documents lying on the desk of Philip Jaffe, and these were principally State Department documents, one dealing with the intimate affairs in the household of Chiang Kai-shek; another showing the complete distribution of all the groups in the Chinese Army, the places where located, and under whose command, naming these units division by division, and showing their strength. We took some documents evidently originating with Naval Intelligence, and at least one or two originating with Army Intelligence. These documents were selected because they were all marked "Secret" or the equivalent thereof, and because each document had a stamped or penciled notation of some sort which might serve to identify the person or persons through whose hands the documents had passed. We also made a list of some of the documents on the desk of Philip Jaffe, principally those which had been photostated. We had to discontinue listing these documents because there were so many that we wished to read that we had no time for listing. Later it was found that we had listed some six documents, other than those we took with us.

All four of the agents who participated in this affair saw all of the documents; all were amazed at the magnitude of the operation, and all were convinced that we had come upon a principal channel through which information was being obtained from the State Department, the Navy Department, the War Department, and the OSS. From the nature of the documents and indications in the surroundings where they were found, we were of the opinion that the material was brought there by courier, that it was photostated, returned by courier, and that the photostat copies of these secret documents passed from this center probably through Communist channels to a destination by us unknown.

The premises were vacated about 2:30 a. m. and everything was left in the identical order in which found. We did not believe that the documents which were extracted would be missed within a week, this by reason of the fact that there was such a mass of material on hand.

On Monday, B-1 proceeded to Washington and in person delivered all of the documents one by one to Mr. van Beuren, security officer of the OSS. The original and all of the copies of the secret document which was responsible for our quest had been extracted from the receptacle in which found, and these were among the papers delivered to the security officer.

MAY 21, 1945.

To : A. vB.
From : FDB.

MEMORANDUM

Subject : N. Y. No. 120

Several days ago you asked me for further explanation of a graph which I sent you in connection with New York case No. 120. Since that time, we have made a modest search of the records and find that there are quite a few persons very active in the affairs of the Institute of Pacific Relations and Amerasia.

Attached is a memorandum in which we show the names of 10 persons. The first one, Field, has a prominent position in both organizations. Carter, who is managing head of the Instituto de Pacific Relations, is intimately associated with Amerasia, but at present, as far as we know, has no official position. He has been a contributor.

We could go down this list and identify all these persons for you, but then we doubt if it is necessary. Field is himself a Communist, and so that you may know that he is presently active, we are attaching a photostat of a program which shows that he was the principal speaker on May 17 before the Communist Political Association of San Francisco. As far as the rest of the names are concerned, you will find to be accurate the graph which we sent. There are three names on our list which were not on the graph, and we know practically nothing about their political color. We have not endeavored to find out, but they are included simply to show the extent of the interlocking of Amerasia and the Institute of Pacific Relations.

We would like to use this memorandum as a medium for confirming to you telephone advice that we gave you rather casually a short while ago. Within the past month, Jaffe has upon one occasion been in conference with Earl Browder for 5 hours. Immediately thereafter, he was in conference with Freda Kirchwey for over 2 hours. Of course, you know the intimate relationship that exists between Freda Kirchwey and Anna Louise Strong. We deal with that in our report on Freda Kirchwey's son, subject of case No. 25508. Since the conference has been in session in San Francisco, a Chinese Communist, member of the Communist delegation, has flown to New York, conferred with Browder and Jaffe, and immediately returned by plane to San Francisco.

Members of the editorial board of Amerasia and writers who are, or were, connected with Institute of Pacific Relations

	Amerasia	Institute of Pacific Relations
Frederick V. Field	Chairman, editorial board 1937-44; 9 signed articles until 1944; 1944-45, unsigned.	Secretary and member, American Council, IPR.
Philip Jaffe	Managing editor, 1937-48; 10 signed articles until 1944; all articles unsigned 1944-45.	Businessman formerly connected with IPR; traveled Far East with 2 members, 1937.
T. A. Bisson	Member, editorial board 1937-44; 13 articles until 1944.	On research staff International secretariat IPR.
William W. Lockwood ¹	Member, editorial board 1941-43; 5 articles.	Research editor, American Committee, IPR.
Edward C. Carter	Contributor.....	Secretary-general to the International secretariat, IPR.
Owen Lattimore	Member, editorial board 1937-41; 8 articles.	Trustee, IPR, editor, Pacific Affairs.
Benjamin Kiser ¹	Member, editorial board 1942-44; approximately 2 articles.	West coast branch, IPR; also trustee.
Kate Mitchell ¹	Member, editorial board 1941-45; 11 articles, associate editor.	Member, International secretariat, IPR.
Harriet Moore	Member, editorial board 1943-45; approximately 3 articles.	Completed studies on Soviet interests in Far East for IPR.
Anna Louise Strong	Contributor to Amerasia.....	Contributor to IPR.

¹ Not listed in Kohlberg graph.

Mr. MORGAN. Now, with respect to this particular memorandum that you were looking for, or paper relative to Thailand, when you returned to OSS here, you brought back the original copy, is that right?

Mr. BIELASKI. Five copies. We never found the original.

Mr. MORGAN. You never found the original?

Mr. BIELASKI. No.

Mr. MORGAN. So, of the 12 or 14 documents you brought back to Washington, some were not originals?

Mr. BIELASKI. No. They were all originals. These five copies were typewritten and not included in the 14 documents that I brought back.

Mr. MORGAN. What I was interested in was a copy of the Thailand material in the file of OSS that you brought back to Washington.

Mr. BIELASKI. Oh, no.

Mr. MORGAN. It was missing too?

Mr. BIELASKI. It wouldn't normally come back to OSS. OSS had sent it out to some other department of the Government, and it would not come back there.

Mr. MORGAN. Now, one further thought here: Insofar as your raid was concerned, it appears that all the papers, or does it—that all of the papers were documents of the State Department, documents that had been received by State, bore the stamp of the State Department, that were in the office of Amerasia?

Mr. BIELASKI. I think that every document which I looked at bore the receipt stamp—it is a time and date stamp, of the State Department.

I know that some of the documents, I certainly didn't look to see what they had, because when I went through the documents in that suitcase, I went through them this way [gesturing], looking for something that belonged to OSS; but all that I did take out and examine, although they had originated in other departments of the Government, had come through the State Department.

Mr. MORGAN. Were any of these memoranda you found identified in any way with Mr. Service, Mr. Larsen, or Mr. Roth?

Mr. BIELASKI. No, sir. I can honestly say that I never heard their names until the Department of Justice arrested them, that was the first knowledge I had of them.

Mr. MORGAN. I presume that would also include the possibility of memoranda prepared by Larsen, or prepared by Service for their superiors?

Mr. BIELASKI. I have no knowledge of that, sir. My point of that case was pretty abruptly confined to a hunk in the middle of it, to start with.

Mr. MORGAN. Now, for our record, I do not believe we have the particular issue of Amerasia that bore the counterpart of your Thailand material.

Mr. BIELASKI. I do not have it, but it must be available.

Mr. MORGAN. I thought maybe you could cover it.

Mr. BIELASKI. I think it is the February 1945 issue.

Mr. MORGAN. Now, this Mr. J. J. Donigan, you say, is practicing law in Newark, N. J., today?

Mr. BIELASKI. Practicing law in Newark.

Mr. MORGAN. At one point, Mr. Bielaski, you were going to indicate for us some suggested lines of development of this situation, and I think you were interrupted.

Would you want to go into that?

Mr. BIELASKI. I would, and I want to say that I have not talked to these men, but I made some inquiry as to what Department of Justice agents, who were very prominent in this case, are no longer in the Department, and I talked to one of them very briefly, and he is J. Lewis Ames. He is in New York, in the Chrysler Building, New York, and presently a vice president of Ruthrauff and Ryan, advertising people.

Mr. Ames was the so-called reporting agent on this case. He consolidated all of the telephone intercepts, and all the surveillance reports and submitted them, and he has frankly stated to me that he

knows the men engaged on the case are very bitter about it, and feel that something happened to it, that they would like to know what it was. They felt they had a conviction. They term it as the biggest espionage case this country unfortunately ever had.

I know that William Dunn and Joseph Garvey, both living in New York now, were agents who were active in this case and, I think, testified before the grand jury. Robert Brownell, of Washington, D. C., is one who was very active here. He is still in Washington, no longer with the Department; and John Caulde, of Ypsilanti, Mich., practicing law there now was, I think, supervisor in the case under hearing.

I am very sure that these gentlemen will testify, if you want them to. They can give you some very interesting information, particularly as to what happened after I got out of the case.

If I may, I would like to say this: About 48 hours after the arrest of these people down here, almost spontaneously there were editorials and news articles that appeared in all the left-wing papers in the country and in some of the conservative papers, stating that this was nothing but a question of the freedom of the press involved, and that made me furious, because I knew there wasn't any such thing; but I could never understand how that happened, and I had been told over telephone conversations that were heard, as to how that information was passed out by the Amerasia people to the newscasters, and to the papers—that they deliberately put that front on it at that time as a defense.

Senator GREEN. Can you give such names as those you just mentioned, who were at your luncheon the other day?

Mr. BIELASKI. I have just given them. I have given the names and the addresses.

Mr. MORGAN. The thought occurs to me, every one of the gentlemen you mentioned I know, and are personal friends of mine.

Mr. BIELASKI. I have no doubt they are very fine fellows, all of them.

Mr. MORGAN. I take it that you are very much concerned and disturbed about this case. Now, I am wondering, for the record, Mr. Bielaski, wherein your concern lies? Of course, we are all concerned that this information was taken. Does it lie in the fact that certain individuals may have been shielded, or that somewhere along the line the judicial process broke down and didn't follow through on this?

What I have in mind is seeing if we can ascertain where, in your mind, the feeling of difficulty or problem lies in this case.

Mr. BIELASKI. I don't think that I'm qualified to state that. I have heard some things said, but I wouldn't testify to them here, because it wouldn't be fair; but I am sure if you will call these gentlemen, they can testify, are willing to, they can give you a better picture about that than I can—the influences that were brought to bear in this case, and I think there is definite evidence of it in the way of telephone intercepts, and furthermore, I am not interested in punishing these people. I think that the Congress should know—certainly the Senate should know—just what was going on in this country in the way of organized espionage.

I have never been willing to accept this idea that these were innocent people, innocent of any wrong intent. I have been positive, from

the start, that it was malicious and vicious and treasonable, and I still stand on that. I therefore think that something should be done about it. It is too late to punish them.

Mr. MORGAN. What I have in mind is that—I know the committee wants to develop this picture completely, and it occurred to me that perhaps by reason of your strong feeling on it, as a lot of people have, that you could indicate for us on the record certain aspects of the case that appear to present considerations of a questionable character that we should explore as we bring these witnesses before us.

Mr. BIELASKI. Let us take these six persons. Kate Mitchell: Kate Mitchell was arrested and Kate Mitchell was not indicted. We know that she knew everything about what was going on, and there were thirty-some documents in her apartment. She could not have been there working, day by day, without having intimate knowledge of it.

I would like to leave this off the record, if I may, subject to later correction.

Senator GREEN. Off the record.

(There was discussion off the record.)

Mr. MORGAN. It would seem that, from this discussion, one of the substantial questions would be: Why, in view of all the considerations in the case, was not Kate Mitchell indicted? That would be one.

Go on, this is most helpful to us, and I would like—

Mr. BIELASKI. I don't like to tell a thing like that.

Mr. MORGAN. Of course, that is off the record.

Senator GREEN. Now, we are back on the record.

Mr. BIELASKI. As to Andrew Roth, the naval officer, who nothing was done about, they dropped the prosecution against him. I have always thought that it was extremely important to find out how he got where he was, in the first place; who put him there, because Naval Intelligence indicated to me, long ago, that they had a totally adverse report about him in the first place.

And, Larsen has made the statement, I have seen it published, at least, that Jasse boasted he was able to get Roth's commission, despite the unfavorable report about him, not only got him a commission but he was put in a very delicate spot, that is, the liaison man between the Naval Intelligence and the State Department.

How did he get there and who did it, despite the unfavorable report that they had about his being in Communist-front organizations, et cetera, and they had a complete record of him?

Mr. MORGAN. That brings us to a second consideration here: Why was the case against Andrew Roth not prosecuted to a logical conclusion, and there is, as a corollary to that—how did he obtain the position he did, in the Naval Intelligence?

Mr. BIELASKI. Yes. Here was a man that sent through a security organization which turned him down.

Senator GREEN. Mr. Morris?

Mr. MORRIS. I want to get some support to Mr. Bielaski's statement from my own experience. This is on the record, but I assume it is spoken in confidence.

Senator GREEN. On or off the record.

Mr. MORRIS. On the record.

Mr. MORGAN. I think, in fairness to the record, if it is affirmative evidence, you ought to be sworn, and put it in the record.

I think you ought to swear him in, Mr. Chairman.

Senator GREEN. Wait until we get through with this witness.

Mr. MORRIS. Very good. It is directly on the point. I happen to know about it. Excuse me.

Senator GREEN. We had better finish the one witness first.

Mr. BIELASKI. I have always felt, Mr. Morgan, that Larsen could if he wanted to, throw a great deal of light on this case. I know he has made a partial statement, published a story, but that wasn't the complete story, and he told that in order to protect himself as much as possible from looking like a first-class villain, and I think from what I know of the case that he was in it because he was getting some money out of it, not because he was a Communist, because I don't think Larsen was; but, I think Larsen, under proper handling, could probably give you some very valuable information, if he would.

Mr. MORGAN. That brings us to No. 3: Develop through Larson various ramifications of the case that might thus far not have come to light.

Mr. BIELASKI. Yes.

Mr. MORGAN. Go on.

Mr. BIELASKI. I am sure he can do that.

Now, concerning Mr. Service, I know nothing whatever. That was entirely out of my job in this case.

Mr. MORGAN. Now, I don't want to get into situations that may be a bit far afield, but at the same time we are in executive session and we would appreciate helpful leads or suggestions. Would you care to indicate any rumbles that you have heard on this, that perhaps should be explored in order to get to the root of this situation?

Mr. BIELASKI. By the way, there is a man you could call who is available today, Mr. Bannerman. He used to be the security officer, or chief investigator for the State Department, and is now with the CIA. Mr. Bannerman, with Mr. Lyon, we were informed, was investigating the case for the State Department. I think Bannerman probably has a better recollection than Mr. Lyon has.

Mr. MORGAN. Bannerman is now with CIA?

Mr. BIELASKI. Yes.

Mr. MORGAN. And Freddy Lyon is with the State Department?

Mr. BIELASKI. I don't know.

Bannerman is a very able chap.

Mr. MORGAN. Any other considerations you feel should be developed and exposed?

Mr. BIELASKI. If you will accept them purely as rumbles, as you say, that I have heard—I know that during the investigation, while they had these people under surveillance, it was known that Jaffe was frequently in touch with Freda Kirchwey. She is the publisher of one of the left-wing magazines. I don't recall the name.

Mr. MORRIS. It is the Nation.

Mr. BIELASKI. Yes; the Nation.

It is known that Jaffe was in touch with her, and that she came to Washington, and I would like to leave it there because I don't know the name of the places she came.

Mr. MORGAN. The reason I am concerned in learning this—

Mr. BIELASKI. I had been told also, that as far as Kate Mitchell was concerned, that Colonel Hartfield, of White & Case, in New York, came down here and used his influence, but where he went or what

he did, I don't know; but, I am sure you can find that out from the other persons whose names I have mentioned.

Mr. MORGAN. What was that name again?

Mr. BIELASKI. H-a-r-t-f-i-e-l-d, of White & Case.

Mr. MORGAN. Attorneys, in New York?

Mr. BIELASKI. Yes; of White & Case, a very prominent firm.

Mr. MORGAN. Are there any other thoughts or leads you can suggest to us?

Mr. BIELASKI. I don't think so.

Off the record.

(There was discussion off the record.)

Mr. MORGAN. I believe, Mr. Chairman, that those are the thoughts I had in mind, with respect to this witness.

Senator GREEN. Do you have anything else you care to add?

Mr. BIELASKI. I don't think so, Senator.

Senator GREEN. Mr. Morris, do you have any questions?

Mr. BIELASKI. I have about exhausted my memory. There are probably some things I have forgotten—

Senator GREEN. I think you had better stay around, because they may want to call you, if and when they come back.

Now, Mr. Morris, please stand up.

Will you swear that all the evidence you shall give in this case shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MORRIS. I do.

TESTIMONY OF ROBERT MORRIS

Mr. MORRIS. Back at the time I left the Rapp-Coudert committee, I was assistant counsel—I left that committee to be in charge of the so-called Communist desk in the Third Naval District.

Mr. MORGAN. When was that?

Mr. MORRIS. In the summer of 1941.

During the course of that Rapp-Coudert committee, we had discovered the identity of a long list of Communists who were teaching in the New York school system, so, as soon as I got into the Navy, I made a record of all those Communists and disseminated that list to all interested services, the FBI, Military Intelligence, ONI, emanating from the DIO, Third Naval District—a long list, I can't remember the number, but one man was named Arthur Braunlich, against whom the evidence was most definite that he was a member of the Communist Party, so much so that he took his work of communism so seriously that when he would attend the meeting of the Communist Party, he would wear gloves so that he wouldn't leave fingerprints on the desks, so someone could come in and discover his identity from his fingerprints.

Mind you, all this was disseminated to all the agencies that should know about it.

Much to my surprise, I discovered that Braunlich had turned up having an important post on the Manhattan project. I know that the Manhattan project people cleared all their applicants through the district intelligence office, and a card was definitely in there as to who Arthur Braunlich was, and the extent of the evidence, and even an

evaluation of the evidence against him, and much to my surprise I found that Mr. Braunlich had an important job. Mr. Fred Woltman, of the New York Telegram, published something about it later on. He had an important job in the atomic bomb development, and that was one indication, certainly, if Braunlich knew when he picked up anything while working, you can be sure the whole Communist movement picked it up. That is one fact.

The other fact I would like to say—

Senator GREEN. Was any comment made on that in the newspapers at the time they published his name, in that connection?

Mr. MORRIS. The many people who viewed the thing as I did, were outraged, Senator, but we had to let our rage die out.

Senator GREEN. Did you do anything about it, or report it?

Mr. MORRIS. I probably mentioned that a hundred times in the last 3 or 4 years.

Senator GREEN. To anyone of authority?

Mr. MORRIS. I did. I kept repeating it over and over again. I had been doing this for years, Senator, and after a while you wear out.

Senator GREEN. And, to the committee that screened him?

Mr. MORRIS. Naval Intelligence knew it, the FBI knew it. It was published in the newspapers, and that is about all I can do, Senator, and to tell all my friends about it.

Senator GREEN. They knew your suspicions?

Mr. MORRIS. My convictions.

Senator GREEN. Your conviction of it?

Mr. MORRIS. That is right, Senator.

Senator GREEN. All right.

Mr. MORRIS. The other thing was, while I was in charge of the Communist desk, the Third Naval District, it came to my attention that the man, Andrew Roth, was applying for a commission in the Navy, in the Intelligence. A fellow named Nelson Franks, who was then an agent for us and is now a reporter on the World-Telegram, was assigned to process the report. In other words, the investigators had picked up certain facts about him, and came to us for evaluation. We recommended that he not be eligible for commission in the Naval Intelligence.

Again, much to our surprise we discovered later on, long after we had anything to do about it, that he had been given a commission, and had acted as liaison between the State Department and Naval Intelligence. I asked, and someone said he got it through the State Department, and not through the Navy Department.

Senator GREEN. Who did you ask?

Mr. MORRIS. Who told me that?

Senator GREEN. Yes.

Mr. MORRIS. I'm afraid I don't remember, Senator.

Senator GREEN. You must remember it.

Mr. MORRIS. Well, who told me, I don't think is important. Probably we can go to the record and find out how he got it. That was many years ago.

Senator GREEN. Now, who do you believe did it, who were you told did it?

Mr. MORRIS. I don't recall now who told me that. I mean, that is back 5 years.

Senator GREEN. What did you do about that—I will ask again.

Mr. MORRIS. Every chance I got I spoke about it and deplored about it.

Senator GREEN. I don't mean at cocktail parties, but what officials did you report it to?

Mr. MORRIS. Senator, what I had been doing, you can only do so much, but I am in charge of the Reserve training program for Navy Intelligence officers, and we have 200 of them up there, and once a month I would bring up a speaker who was well informed on the whole subject, and I had that opportunity to tell the whole 200 what I knew, and also whatever the speakers know.

However, if I made a speech no one would listen to me.

Senator GREEN. There are certain committees and/or commissions that pass on these questions. I wonder if you took it up with them?

Mr. MORRIS. I told Naval Intelligence, told the FBI. Now, where else, or whom else should I have told? I don't know. I think when you tell people like that, you have done your utmost; and, in addition, if somebody is going to write an article about it, you call attention to that.

Mr. MORGAN. Roth was turned down by the Third Naval District, is that correct?

Mr. MORRIS. He was turned down by the DIO, that's district intelligence office, Third Naval District.

Now, here is another one.

Senator GREEN. We would like to have them.

Mr. MORRIS. This is a good one. One of these Communist school teachers who we had direct evidence was a member of the Communist Party, Theodore Geiger, a card was made up on him and dissemination was made in the usual fashion and all agencies knew about him.

Now, I discovered that he is now one of Paul Hoffman's assistants, and that he has recently been a member, an employee of the State Department. When I heard about it, I once again called the FBI, ONI, MIS, and let them know once again what he was doing. In addition to that, nothing was done about that, and I called up a newspaper reporter and asked, "Why not report it in the newspapers?" which he did accordingly. Therefore, it did appear in all the papers. One congressional committee took cognizance of the matter and took steps about it, I don't know who all did testify against him, but they developed other witnesses and for the life of me I can't understand why the man is still Paul Hoffman's assistant. It may well be that he has gotten out of the party, but when he was asked by the newspaper reporter who was writing up the case, "Was it true that you were named as a member of the Communist Party before the Rapp-Coudert committee?" He said "No," that he was cleared, and it was all a mistake.

Well, what did they do? They spoke to the chief counsel of the committee, they spoke to the chairman, and nobody had cleared him, and he was never cleared. I told the investigator who was working on the case all that, but I came down here 2 weeks ago, and asked if Geiger was still in Government service, and found that he is still one of Paul Hoffman's assistants.

What can you do?

Senator GREEN. It seems you have done what you could.

Mr. MORRIS. You see why I have strong feelings on the subject.

Senator GREEN. Yes, I do.

What could we do about it now?

Mr. MORRIS. I think you can very seriously evaluate all this great scope of evidence that keeps coming in, and look at it, not with a skeptical eye, but with an eye that maybe there is something to the whole thing after all.

Senator GREEN. I am interested in another phase of the matter.

We have been appointed as a subcommittee, you might say, of the subcommittee to study the set-up among loyalty tests, and it is our duty to make recommendations as to how they can be improved, if they need it. We are very glad to hear this and will be glad to have you furnish us with your ideas.

Mr. MORRIS. Very good, sir.

Senator GREEN. And suggestions as to what improvements can be made.

Mr. MORRIS. I would feel very much as Mr. Bielaski, very much that something could be done.

Senator GREEN. Well, let us have your suggestions, promptly, as we are now proceeding with our work.

Did you want to say something off the record?

Mr. BIELASKI. Yes sir, off the record.

(There was discussion off the record).

Senator GREEN. Are there any other questions?

Mr. MORGAN. I want to ask Mr. Morris a couple of questions, to get the record straight.

Senator GREEN. He is the witness.

Mr. MORGAN. How do you spell Braunlich's name?

Mr. MORRIS. B-r-a-u-n-l-i-c-h.

Mr. MORGAN. Is he still with the Manhattan set-up?

Mr. MORRIS. I would assume not, but I haven't the slightest idea.

Mr. MORGAN. You don't know whether he was separated from the service?

Mr. MORRIS. No.

Mr. MORGAN. When did you know he was associated with it; at what time?

Mr. MORRIS. I read an article by Fred Woltman in the World Telegram, probably in the year 1946. I think a check of the index of the World Telegram will show, and describe the job he had, the type of job. My recollection is, he was close to the inner circle somewhere in Chicago.

Mr. MORGAN. Those are all the questions I have.

Senator GREEN. Is that all?

(A short recess was taken, at the conclusion of which the subcommittee proceeded with Senators Green and McMahon present, and chief counsel and assistant counsel for the subcommittee also present.)

Senator GREEN. Did you come here as a witness?

Mr. McINERNEY. Yes, sir.

Senator McMAHON. I think we ought to swear in Mr. McInerney.

Senator GREEN. Hold up your right hand.

Do you solemnly swear that the testimony you shall give in this case shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McINERNEY. I do.

TESTIMONY OF JAMES M. McINERNEY, ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE CRIMINAL DIVISION, DEPARTMENT OF JUSTICE

Senator GREEN. State who you are, your address, and so forth, for the record.

Mr. McINERNEY. James M. McInerney. I am Assistant Attorney General in charge of the Criminal Division. I reside at 3200 Sixteenth Street NW. I have been in the Department of Justice since January 1935. I served 4 years with the FBI, until December 31, 1938. On the following day I transferred into the Criminal Division and was there until July 1947, and I returned to head the Criminal Division in January of this year.

Senator GREEN. What have been your duties in that time?

Mr. McINERNEY. I was First Assistant of the Tax Division, Department of Justice, between July 1947, until my return to the Criminal Division. At the time the Amerasia case came to the Department of Justice—by that I mean the Criminal Division—

(Senator Tydings entered the committee room.)

Mr. McINERNEY. I was First Assistant, in the Criminal Division, First Assistant to Mr. Tom Clarke—

Senator GREEN. We had just started on the Amerasia case.

Senator TYDINGS. All right; proceed.

Mr. McINERNEY. The case arrived in the Criminal Division May 29, 1945. I remember how it arrived. I was in the restaurant eating my lunch on Pennsylvania Avenue when a messenger came to the restaurant and said that I had to return to the Department immediately, that they had to have a decision on a case by 3 o'clock that afternoon.

It was some emergency; I don't know whether the President was leaving town for Potsdam, or the Secretary of State was leaving; but there was some urgency about having a decision by 3 o'clock.

I had no previous acquaintance with the case, except the memorandum which arrived that day.

I went over to the offices of the FBI and spoke to the men handling the case, and they filled me in as much as they could on it in the following half hour. They had a desk about half as long as this one, and it was filled with photostats of documents, probably 2 feet high, the whole desk; and they told me the facts briefly.

What they told me was this: That in March it was ascertained that there were documents in the office of Amerasia magazine, on Fifth Avenue, New York City, which fact had been ascertained by representatives of the OSS who had made a surreptitious entry into the offices and ascertained that documents or copies of documents were in the files.

They advised they had reported to their superior who, in turn, reported it to the Department of State, the Department of State requested OSS to step out, and that they would have the FBI come in. With that, the FBI came in, about March 12.

It was obvious, from the presence of these photostats, that the FBI had made similar entries into the premises of Amerasia and photostated the documents. I later learned that similar entrances had been made to the residences of some of the other subjects.

Senator TYNDERS. Whom?

Mr. McINERNY. By the FBI.

I discussed the legal evidence available by that time, and to my mind, it was not sufficient to seek a warrant, because the main evidence, legal evidence at hand at that time was physical surveillances of these individuals. On some occasions they were observed to be reading documents, or passing documents between themselves. I think there was one small piece of evidence that an agent had looked over the shoulder of Mr. Gayn, who was one of the subjects, in a bus and saw him reading a, what seemed to be, a copy of an official document; but since our experience has always been that we can make a case on an apprehension and search, I authorized the prosecution on May 20.

Then, the arrests were not made until June 5 or 6. I think that delay was caused by, one factor I know, was that they had to find all six in their homes at the same time, so that they could make the search incident to the arrests on which we hoped to base our case.

(There was discussion off the record.)

Senator TYNDERS. Read the last two questions and answers to refresh his memory.

(The record was read by the reporter.)

Mr. McINERNY. In amplification of the fact that how much we relied on facts developed at the time of the arrests, I might state that 88 percent of persons convicted in Federal courts are convicted upon their own confessions, or almost entirely upon their own confessions.

Well, on the apprehension of these people, we didn't get any confessions, with one possible exception, and that was Larsen.

Mr. Jaffe made no admissions. Mr. Service made no admissions of value. Miss Mitchell made no admissions. Mr. Gayn, I believe stated that he obtained some documents but as a newspaper man, he would not disclose the source. He later did, however.

Senator TYNDERS. Who was that last?

Mr. McINERNY. Mark Gayn, the magazine correspondent.

The agents did find probably 800 documents, I think; some 600 in Jaffe's office; probably 200 or 300 in Larsen's home; and about 42 in Gayn's home. They found nothing on Miss Mitchell, except inasmuch as she shared the office of Jaffe, and was an associate editor. They found nothing on Roth and nothing on Service.

At the arrests, I selected what I thought—the man I thought was the best prosecutor we had in the office, and who was, at that time, a special assistant to the Attorney General, whom we had borrowed about 2 years before to prosecute some German cases, internal security cases. His name is Robert Hitchcock.

Robert Hitchcock was first assistant to the United States Attorney in the office at Buffalo, and had been there for 10 or 12 years and practically ran that office, since the United States attorney took very little part in the operation of the office.

Mr. Hitchcock came down about June 15, and we started a grand jury on June 21.

Counsel for these various defendants started coming in, requesting conferences. Things generally were pretty well upset in the Criminal Division at that time, principally by the reason of the fact that Tom Clark was moving out as head of the Criminal Division and becoming

Attorney General on July 1, and he had promised some of them conferences.

We, we held one large conference, I remember, on June 27.

It had been presented to the grand jury for 1 day only at that time, I believe it was June 21.

After the conference on June 27, Mr. Wadmond, who was Miss Mitchell's attorney—after he returned to New York he telephonically communicated with us and requested an opportunity for Miss Mitchell to come in, waive immunity and testify before the grand jury.

We were being inundated with threatened motions to suppress the evidence, bills of particulars and return of the property, and we decided we would give Miss Mitchell the opportunity to appear before the grand jury, and we thought it was a good idea, from our standpoint too, to try to improve our case, and asked the other defendants, through their lawyers, whether they desired to take advantage of the same privilege.

Senator TYDINGS. Waive immunity?

Mr. McINERNEY. Yes, sir; and permit us to examine them before they went into the grand jury, also.

All of them agreed, except Roth. So, we were then faced with the question as to whether or not to extend the present grand jury, which was expiring on July 2, to extend it for a month or two, or start all over with a new grand jury which was coming in on July 8.

We decided, just as a matter of convenience, and for no other reason, to re-present the case to a new grand jury, since we had only used the old grand jury for 1 day.

In July, the various defendants came in and were subjected to examination by Mr. Hitchcock and Mr. Donald Anderson, who was a former FBI agent, and was then in the criminal division.

All of the defendants except Roth—Jaffe had said that he would come in and waive immunity, but he explained that he could not appear for examination before his appearance before the grand jury, his wife was in the hospital, and we told him we would not allow him to appear before the grand jury unless he submitted himself for examination. He didn't do it; and didn't ask, as a matter of fact, to go before the grand jury, so we had four defendants before the grand jury.

Senator TYDINGS. Name them.

Mr. McINERNEY. Gayn, Mitchell, Larsen—

Senator TYDINGS. Service?

Mr. McINERNEY. Service? I don't think I mentioned Larsen; Larsen declined to go before the grand jury. He did not.

Senator TYDINGS. Which ones did you have?

Mr. McINERNEY. Mitchell, Gayn, and Service—those three.

Senator TYDINGS. Three?

Mr. McINERNEY. Yes, sir.

Larsen, Roth, and Jaffe—

Senator TYDINGS. Refused?

Mr. McINERNEY. That is right, sir.

I think Mr. Hitchcock was pretty well convinced, from an examination of Service prior to his appearance before the grand jury, that he was innocent, but he took him before the grand jury and examined him but he didn't give him the same penetrating examination that he gave Gayn and Mitchell.

The grand jury took the position, first, that these Government agencies were very sloppy in their handling of documents, and almost invited this type of violation; second, that the same thing that was being done by these people, was being done by regular newspapers, and that copies of documents which were classified, which were marked "classified" could be seen in almost every magazine and newspaper office in New York.

They voted an indictment as to Roth, Larsen, and Jaffe. They no-billed Mitchell, Gayn, and Service. They no-billed Service unanimously, 20 to 0.

Senator TYDINGS. They did no-bill Service?

Mr. McINERNEY. Yes, sir, and with respect to Miss—if you like, I could put the votes in the record, I have it here.

Senator TYDINGS. I think it would be useful. Don't you think it ought to go in?

Mr. MORRIS. Oh, yes.

Senator TYDINGS. Were the others unanimous, do you recall?

Mr. McINERNEY. Pardon?

Senator TYDINGS. Were the others unanimous?

Mr. McINERNEY. No, they were not.

Jaffe was voted, for indictment, 14 to 6, 12 being required as the minimum.

Larsen was voted, for indictment, 14 to 6.

Roth was voted for indictment, 18 to 7.

Gayn was no-billed, 15 to 5.

Mitchell was no-billed, 18 to 2.

Service was no-billed, 20 to 0.

We, in effect, wound up here with a case against two defendants, Jaffe and Larsen. I think our examination of the case showed pretty completely that Larsen had been the main abstractor of documents.

There was, however, eight ozaloid copies of Service's reports which were found in Jaffe's office.

Senator TYDINGS. What do you mean by "ozaloid"?

Mr. McINERNEY. Ozaloid is a process of duplicating by which you type your original report, and you put a piece of carbon paper in behind the original, in reverse, and then that original is later used for duplicating, something similar to mimeographing.

Eight of his reports were found in Jaffe's office, and it was suspected that he had given them to Jaffe.

Senator TYDINGS. May I interrupt you there long enough to ask you—were these reports that were found there, of a highly confidential, or general nature, or what?

Mr. McINERNEY. I would say that with respect to all of these documents, that they were of innocuous, very innocuous character. If I would estimate that 1 percent of them related to our national defense, that would be about right. They had to do with very minor political and economical matters in the Far East, and I say that, having been Chief of the Internal Security Section of the Department all during the war, and I handled all the espionage cases for the Department and these things impressed me as being a little above the level of teacup gossip in the Far East, and I think that you have seen the House report.

The majority report stated that few, if any, of these documents had any relation to our national defense.

(Senator Lodge entered the room at this point.)

Senator TYDINGS. Mr. McInerney, right there, did you see and view all these reports?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. How many did the House committee look into?

Mr. McINERNEY. We gave them all the exhibits.

Senator TYDINGS. All of them?

Mr. McINERNEY. Yes, sir; all that we had.

Senator TYDINGS. And they made some finding as to what they considered the important and unimportant ones, from an over-all secret standpoint?

Mr. McINERNEY. Yes, sir.

Shall I put that statement in the record, it is one sentence.

Senator TYDINGS. I think it ought to be in.

Mr. McINERNEY. The House subcommittee, on page 5 of its report, stated:

Few, if any, of the identifiable classified documents involved in this case had any real importance in our national defense or our war efforts.

(Senator Green left the room.)

Senator TYDINGS. That is in the House report?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. That was after all of the stuff you had was turned over?

Mr. McINERNEY. All of our exhibits were turned over. The grand-jury testimony had been turned over. OSS had testified, and we had testified.

Senator TYDINGS. Was there anything in the position of the Department of Justice, or the FBI, in connection with this case, either on the grand-jury end, or what you had on the outside, that the House committee did not look into, that you can recall?

Mr. McINERNEY. There were some documents mentioned in connection with the House committee which we did not have, apparently.

Senator TYDINGS. They got them some place else?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. All right.

Mr. McINERNEY. After the grand jury took this action, which I believe was on August the 10—

Senator TYDINGS. The indictment?

Mr. McINERNEY. Yes, sir, and the no-bills; on August 10, 1945—Jaffe, through his attorney, began to make overtures about entering a plea on terms.

No decision was arrived at with respect to that offer until the week of September 25, when several things happened.

Mr. Larsen, when his home was searched, and while the agents were about his apartment, betrayed to him in some way that they had familiarity with his private effects.

Senator TYDINGS. You mean, the agents did, in your opinion?

Mr. McINERNEY. He so swore, Larsen did, later.

Senator TYDINGS. Swore, to whom?

Mr. McINERNEY. In an affidavit on file with the district court.

Senator TYDINGS. All right.

Mr. McINERNEY. He stated that one agent, he overheard one agent say that something could be found in a middle drawer; and in another

place, an agent was handling a leather case, and the other agent stated that "That's all right, that is the place."

Senator TYDINGS. Who heard the agent say that?

Mr. McINERNEY. Larsen.

Senator TYDINGS. Where was he when he heard that?

Mr. McINERNEY. He was being arrested, and one agent was watching him and the other agents were searching his premises.

Senator TYDINGS. So that Larsen, when he was arrested, heard these agents tell where different things could be found in his apartment?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. Which gave him an indication that the agents had been there and knew where the articles were?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. I wanted to get that clear.

Mr. McINERNEY. After Larsen made bail, he went around to see the building superintendent, a Mr. Seager.

Senator TYDINGS. Where did he live?

Mr. McINERNEY. He lived in the Harvard Apartments, on Columbia Road, apartment 227.

After he made bail, he went to see the superintendent, a Mr. Seager, and inquired of Mr. Seager how many times had Mr. Seager told him that he had allowed the agents access to his apartment.

Senator TYDINGS. An ingenious question.

Mr. McINERNEY. Mr. Seager had not, of course, told him previously; but assuming the fact, he cold-cocked Mr. Seager, and Mr. Seager said, "Two or three times."

So, he took that information to his attorney; but, however, not until about—well, I don't remember the day—but on September 25 they came back to Mr. Seager and asked Mr. Seager to make an affidavit as to his permitting the agent access to his apartment.

Senator TYDINGS. Let me ask you there, if you recall when you first learned that this event had taken place?

Mr. McINERNEY. Well, I knew it had taken place when I saw these photostats on the desk on May 29, that they must have had access to somebody's apartment, surreptitiously.

Senator TYDINGS. When you knew this conversation had taken place between Seager and Larsen—

Mr. McINERNEY. September 28.

Senator TYDINGS. How did you learn it?

Mr. McINERNEY. An agent came over and told us.

Senator TYDINGS. They learned it, I suppose.

Mr. McINERNEY. I learned it two ways: By the agent who came over in the morning, and the motion to quash was served in the afternoon, incorporating the evidence of Larsen about the matter. Well, as I say, Larsen asked Seager to execute an affidavit on September 25, 1945, and we were informed of it, I believe, on September 28, on a Friday.

Senator TYDINGS. Give me those dates again.

Mr. McINERNEY. September 25, I believe, was Monday; September 28 was a Friday, and this date is important with respect to the plea of Jaffe.

Senator TYDING. That is what I want it for.

Mr. McINERNEY. Yes, sir.

The agents came in on Friday and told us about Larsen's visit to him, and---what could be done?

Senator TYDING. Were these the same agents that had taken part in getting the arrests, and working up the case?

Mr. McINERNEY. No, sir; they were supervisory agents from the Bureau.

Senator TYDING. I see.

Mr. McINERNEY. We debated what to do. We were having great difficulty with the attorney for Larsen at the time. He was trying, in every way, to embarrass the Bureau. His name is Arthur Hilland. By reason of the fact that he represented Monroe Kaplan, you may remember him, as having the little house on R Street, the red house on R Street, which was later tried in New York City, a § percenter; and, he thought that the FBI had tapped his wires, the attorney's wires, and he was very antagonistic toward the Bureau.

Senator TYDING. He represented Larsen?

Mr. McINERNEY. Larsen.

Well, we considered what we could do on Larsen's motion to quash. We had enough evidence, without what we seized at his apartment—in other words, our first inclination was to return everything to Larsen, or leave it out of the case and proceed against him on the documents we found in Jaffe's office, since Larsen could not complain of an illegal search of Jaffe's office; but, we knew that if Jaffe learned of such a motion, he would also make a motion to quash, and we would be left high and dry.

So, we wanted to get a plea out of Jaffe, and in view of the fact that these overtures had been made, over a period of 2 or 3 weeks with his attorney, I called his attorney here in Washington, Mr. Albert Arant.

Senator McMAHON. Who?

Mr. McINERNEY. Albert Arant, and asked if he cared to discuss a plea by Jaffe.

Now, three things came together. I remember, at one o'clock on September 28, the agent had just told us that our search of Larsen was up in the air. While we were discussing it, a motion to quash was served on the Criminal Division.

Senator TYDING. Which Jaffe did not then know himself?

Mr. McINERNEY. That is right.

Senator TYDING. Did Jaffe come, in person, or did his attorney come?

Mr. McINERNEY. Only his attorney.

Senator TYDING. Where was Jaffe, then? In Washington, in jail—or in New York—or where?

Mr. McINERNEY. I believe he was in Washington. He was out on bond.

While I was talking to the agents, and the motion to quash was served, Jaffe's attorney was waiting in the outer room. I called the clerk of the court down here and asked him if he could hold the notice of motion to quash out of public domain for a few hours, so that Jaffe's attorney could not see it. The clerk of the court told me he could not do that, that when this notice of motion was filed, Mr. Hilland walked in with three reporters, so that I knew when Mr. Arant left my office, it would be in the newspapers.

I have here, the notice of motion to quash which was filed on September 28.

Senator TYDINGS. You can supply it for the record later. It is purely a formal motion to quash?

Mr. McINERNEY. With supporting affidavits.

Senator TYDINGS. With the reasons.

Mr. McINERNEY. Alleging wire tapping and trespass.

Senator TYDINGS. Alleging the illegal possession of evidence, and burglary and entering?

Senator LODGE. I think that is important. What were the reasons for not going further with the case?

Senator TYDINGS. The motion to quash—

Senator LODGE. What were the reasons for it?

Mr. McINERNEY. They alleged illegal trespass upon Larsen's apartment, and wire tapping—they were the two main ones. Of course he alleged the general ones, that the facts did not constitute an offense, and the indictment did not stand—

Senator LODGE. Was that motion carried, is that what happened? Was the case stopped there?

Mr. McINERNEY. No, sir.

Here is a copy.

Senator TYDINGS. Do you want to hear it read?

Senator LODGE. What?

Senator TYDINGS. Do you want to hear the reasons, without hearing it all?

Senator LODGE. I want to know how it is possible for these people not to be tried and given hell. That is what I don't understand. To me, it is a very serious matter.

Senator TYDINGS. The evidence upon which the indictment was returned by the grand jury was illegally obtained, as shown by said defendant's affidavit and motion to suppress evidence filed herein. The allegations that the defendant agreed to commit certain offenses against the United States is vague and uncertain. The certain offenses which the defendant is alleged to have agreed to commit are not stated in the indictment.

That is all routine.

There is one thing in there, do you want to file this?

Mr. McINERNEY. No, sir. That is our official copy. I will be glad to supply a photostat.

Senator TYDINGS. Do that, and we will put it in the record, and then we will have the whole thing.

Mr. McINERNEY. I don't know whether the matters about which I have been talking are set forth in Mr. Larsen's affidavit here.

If you care to see it—

Senator TYDINGS. Let me see it, for a minute.

Senator McMAHON. You see, Senator Lodge, the difficulty is—

Senator TYDINGS (reading) :

I, Emanuel Sigurd Larsen, being first sworn, et cetera, do say * * * on June 6, 1945, after arriving home from work in the State Department, I had just sat down to eat my dinner at about 7 o'clock p. m., when there was a knock at the door. I went personally to open the door of my apartment, and two men forced their way in with the words "you are under arrest," after asking me whether I was Emanuel S. Larsen. I was dumbfounded and asked them what I was under arrest for. They refused to answer my question.

Senator Lodge. What was the date of this, the date of the occurrence?

Senator Tydings. This is the date of the affidavit.

Senator Lodge. The date of the occurrence with the two men?

Mr. McINERNEY. June 6, 1946.

Senator Tydings. Then, the affidavit goes on reviewing for about 20 pages, what his wife said, what he did, what the agents said, and so on, just reading certain parts of it, but we would like to have it all.

Mr. McINERNEY. All right sir.

Senator Tydings. We are more anxious to get your story now, and get the details later.

Mr. McINERNEY. Yes, sir.

As I think I indicated, I know that when Jaffe's lawyer went out on the street, when I got finished with him, he would see Larsen's notice of motion in the paper, and that he would make a similar motion, and our whole case, I think, would be destroyed.

So, we were faced with trying to make the best arrangement with him that we could, and we made the arrangement that we would recommend a substantial fine, if he pleaded guilty.

Senator Tydings. What was the alternative, as you saw it at the time?

Mr. McINERNEY. Well, of losing both Larsen and Jaffe.

Senator Tydings. Why? Because of these motions to quash and the supporting statements? Do you know those to be true?

Mr. McINERNEY. Yes, sir.

Senator Tydings. Was it your thought that the evidence that you had amassed would not be admissible?

Mr. McINERNEY. Well, in the first place, our complaint, upon which the searches were based, was probably faulty. There was no probable cause asserted in our affidavit on which the complaint was based, because all we had was the association between these people, and exchange of documents, the nature of the documents we did not know. As it later developed, both Roth and Jaffe were writing books, and it developed that they were exchanging chapters. One wrote a chapter and he would pass it on to the other fellow, and read it—that is what they stated, and we had no evidence to contradict it.

Senator Lodge. May I ask a question? We were talking today about the fact that after the FBI had been told about this Amerasia business, that they sent 75 men up there to tap the wires and exercise surveillance on everybody. Do I gather from you that in spite of that fact, the FBI was unable actually to trace the furnishing of the documents from somebody in Amerasia to somebody else?

Mr. McINERNEY. To somebody else?

Senator Lodge. Yes.

Mr. McINERNEY. Yes; no document was ever traced out of Amerasia's office to anyone else—not one.

Senator Lodge. Not one?

Mr. McINERNEY. No, sir.

Senator Lodge. Isn't that very extraordinary?

Mr. Morris. How about the surveillance? I understand that the FBI began surveillance of the various defendants—

Mr. McINERNEY. Yes, sir.

Mr. Morris. Was that evidence made available to the Government?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. That evidence, and what it showed—

Mr. McINERNEY. I am telling you, all it established was association.

Senator LODGE. What were they doing all the time? What were they finding out with the telephone tapping and surveillance and everything?

Mr. McINERNEY. Senator Lodge, there was no one instance in which they found these people abstracting a document from any agency of the Government between March 12, when they took over on a 24-hour basis, until the day of the arrests; and, there was no instance of anybody ever using one of these documents for anything except the purpose of publication in Amerasia, or elsewhere.

Senator LODGE. I wasn't asking about the evidence of the documents being taken from the Government, because obviously there they were, you didn't have to get evidence on that.

Mr. McINERNEY. You do, to prosecute them.

Senator McMAHON. What?

Mr. McINERNEY. You do, to prosecute them.

Senator LODGE. Even in time of war!

Mr. McINERNEY. Certainly.

Senator McMAHON. In time of war, things—

Senator LODGE. I want to finish my question.

Senator McMAHON. I was only trying to help. You used the remark, four or five times, "in time of war."

Senator LODGE. It is very significant.

Senator McMAHON. I want to say, as a lawyer, that when we go into a war, maybe we should, but we never have repealed the constitution, or any part of it. That is all I wanted to tell you.

Senator LODGE. I don't think that is all there is to it. I just don't think that is all there is to it.

Senator McMAHON. I am not trying to say anything else.

Senator LODGE. I am not a lawyer. I have read the constitution once or twice, and I don't think that is all there is to it.

Senator McMAHON. Let's find out—

Senator LODGE. Mr. Morris told me that I don't understand. You were saying, before I got here, that it was customary to treat these classified documents rather informally here in Washington.

Mr. McINERNEY. Yes, sir.

Senator LODGE. It is shocking to hear that, because I will tell you, in the field, if anybody loses a classified document, you might as well shoot yourself. The idea that these fellows were taking these documents home, or to cocktail parties and teas, and everything, makes my hair stand on end.

Mr. McINERNEY. Didn't you become rather cynical about the classification of documents?

Senator LODGE. I didn't; no. I was very, very serious about it.

Mr. McINERNEY. The classification of documents in this case was nothing short of silly. They would incorporate a newspaper clipping in a document and classify it as "secret."

Senator LODGE. Are you telling us that all these thousands of documents were all things like that?

Mr. McINERNEY. Yes, sir.

Senator LODGE. All of them?

Mr. McINERNEY. Yes, sir.

Senator LODGE. You say there wasn't a single document in the Amerasia case that had military value?

Mr. McINERNEY. No, sir. I think I said, prior to the time you came in, that I would estimate there was 1 percent, and I don't know whether you read this sentence, this underscored sentence from the House committee's report.

Senator TYDINGS. Read it. He put it in before you came in.

Senator LODGE. I don't know who says it or anything about it. I know that I was trained to have great respect for classified documents, and it astounds me to have it said that most of these documents were silly, that is all. I don't say you are not right, but I say it is astounding.

Mr. McINERNEY. I explained, I had charge of all internal-security violations during the war, and I think I have some idea of what a classified document is, and is not, and as the committee report shows, the routing of a document, or mailing of it from the Far East to the United States depended upon the classification; for instance, if they wanted the mail to get here quickly, they would put the highest possible classification on, purely for mailing purposes.

Senator LODGE. If anybody had done that in our outfit, he would have had his ears pinned back.

Mr. MORRIS. Mr. McInerney, would you consider a report emanating from the State Department, giving the details and arrangement and deployment of the Chinese Nationalist armies, at a time when they were locked in mortal combat with an enemy force—would you consider that to be a classified document?

Mr. McINERNEY. As of what date?

Mr. MORRIS. 1945.

Mr. McINERNEY. Yes, sir. Was there such a document?

Mr. MORRIS. We have had testimony today.

Mr. McINERNEY. 1945?

Mr. MORGAN. In fairness, there was testimony relating to that evidence being found, by Mr. Bielaski.

Mr. MORRIS. We had the testimony today on that.

Senator TYDINGS. That was what Mr. Bielaski found.

Mr. MORRIS. One other question: It is your testimony, Mr. McInerney, that the Department of Justice presented to the grand jury in the case of the six defendants, all the evidence that it had in its possession, from all sources?

Mr. McINERNEY. Yes, sir.

Senator TYDINGS. Was there anything of value that you did not present, that you can recall?

Mr. McINERNEY. No, sir.

Senator LODGE. I would like to ask about the documents that were in the Amerasia office.

Am I correct in stating that in spite of all this surveillance and wire tapping that the FBI did, with 75 men on the job, that they never caught anyone transmitting one of those documents from the Amerasia office to somebody else?

Mr. McINERNEY. That is correct.

Senator LODGE. That is correct?

Mr. McINERNEY. The FBI has so stated.

Senator LODGE. And you said, do I understand, that some of those documents were used for magazine articles?

Mr. McINERNEY. Yes, sir. They were used by Clayn for magazine articles. He testified before the grand jury that before publication they were submitted to the Office of Censorship.

Senator TYNDERS. Submitted to whom?

Mr. McINERNEY. To the Office of Censorship.

Mr. MORRIS. Mr. McInerney, is there a record today of the documents, and their contents, seized by the Federal Bureau of Investigation from the Amerasia office?

Mr. McINERNEY. I am sure there is.

Senator LODGE. Do you have the documents still?

Mr. McINERNEY. No, sir.

Senator LODGE. What happened to the documents?

Mr. McINERNEY. They were returned to the agency.

Senator LODGE. All of them?

Mr. McINERNEY. I am quite certain that the FBI have photostats of all of them.

Senator LODGE. You ought to get independent judgment by military men on the value of those documents.

I hereby make that request, Mr. Chairman.

Senator TYNDERS. How can we get it?

Can you get the photostats for us, Mr. McInerney?

Mr. McINERNEY. Well, just from the standpoint of formality, we made these documents available to one congressional committee, and I assume that they will be made available again, but I would have to get clearance.

Senator TYNDERS. Take it up and see what you can do, and then we will look for the military men.

Mr. MORGAN. May I interrupt, Senator?

Incidentally, this morning a request was made by Senator Lodge that such records as do exist in the Department of Justice be impounded at this point, and I presume you can arrange for that. Do we need to make a formal request?

Mr. McINERNEY. Impounded?

Mr. MORGAN. We don't want them dispersed.

Senator LODGE. The documents not sent back and lost.

Mr. McINERNEY. What has been done, has been done. They won't be further dispersed.

Senator LODGE. I would like to ask one or two more questions.

What is your present position?

Mr. McINERNEY. Head of the Criminal Division.

Senator LODGE. Department of Justice?

Mr. McINERNEY. Yes, sir.

Senator LODGE. How long have you held that position?

Mr. McINERNEY. Since January of this year.

Senator LODGE. How long have you been in the Department of Justice?

Mr. McINERNEY. I came in the FBI in January of 1935, and I transferred from the FBI, on December 31, 1938, to the Criminal Division, on January 1, 1939. I was in the Criminal Division from January 1 until July 1947. From June 1940 until December 1944 I was Chief of the Internal Security Section of the Criminal Division. In July 1947 I was first assistant in the Criminal Division, and trans-

ferred to the Tax Division, where I was first assistant assistant until I returned to the Criminal Division, as head of it, January this year.

Senator LODGE. Where is your home?

Mr. McINERNEY. New York City.

Senator McMAHON. Are you through?

Senator LODGE. I am through.

Senator McMAHON. I have known James McInerney since 1938, when he was head of the detail of the FBI, who was in charge of the Harlan County case which I, as the head of the Division which he now heads—

Senator LODGE. Harlan County, Ky.?

Senator McMAHON. Yes. As a result of the services of him, I was intimately acquainted with him, and they included guarding me from an attempt on my life.

Mr. McInerney came to the Criminal Division, and he was there when I resigned in 1939. He bears a most enviable reputation.

His appointment as Assistant Attorney General was well deserved and he went at his duties with great pleasure and enthusiasm. I want to say that there is no man for whose integrity and whose loyalty to the United States I have a higher regard than I have for Jim McInerney.

Senator LODGE. I am glad to hear that, and I am sure it is all true.
(At this point, Senator Tydings left the room.)

Senator McMAHON. Mr. McInerney, I would like to ask you whether Mr. Bielaski at any time was ever examined by the FBI, to your knowledge?

Mr. McINERNEY. I do not know.

Senator McMAHON. In your evaluation of this case, did you ever hear, or did it ever come to your attention, that one of the documents that was discovered by Mr. Bielaski in the Amerasia office and, on the occasion of his first entry, was tucked in an envelope along with five or six other papers having the caption "A-bomb"?

Mr. McINERNEY. I never heard of such a thing.

Senator McMAHON. Is this the first time you have heard of it?

Mr. McINERNEY. Yes, sir; and I would have remembered it, because I was General Grove's liaison with Justice at the time, and it would have struck me between the eyes.

Senator McMAHON. Were you with General Grove as liaison man between—

Mr. McINERNEY. Between Atomic Energy, or the Manhattan project, and the Department of Justice.

Senator McMAHON. Now, the Atomic Energy Commission didn't take over operation of the program until January 1, 1948, so at this time, it was under the control of General Grove.

Mr. McINERNEY. Yes, sir.

Senator McMAHON. I suppose you were pretty conscious of any A-bomb matters at that time, were you not?

Mr. McINERNEY. I certainly was.

Senator McMAHON. Do you know of any agent of the FBI that participated in this investigation who reported, either to you or anybody else, that there had been any material discovered relative to an A-bomb?

Mr. McINERNEY. No, sir; I never heard of such a thing from anyone, anywhere.

Senator McMAHON. Mr. Bielaski testified, has said this morning that he did testify before that committee over in the House, and that the significance of what he had seen in 1945 had not been apparent to him, as it now was.

Do you know where the 14 pieces of paper that Mr. Bielaski took from the office on that occasion, and turned over to the OSS, who in turn turned them over to the Secretary of State, who in turn presumably turned them over to your organization--can you identify those, do you suppose?

Mr. McINERNEY. No, sir. There were documents apparently seized in this case which never became a part of our case, and we first learned of that when Mr. Dondero, Congressman Dondero, was introducing his resolution. He was making mention of a document with a portion that had a more important sound than any we had seen, and they were not in our case.

Senator McMAHON. Well then—

Mr. MORRIS. Why was that?

Mr. McINERNEY. I don't know. I assume, I must assume that Mr. Bielaski or someone abstracted some documents, and did not return them, probably because of their sensitiveness, or for some other reason; but I know there were several documents which Congressman Dondero mentioned, documents marked "Secret," obviously originating in the Navy Department, dealing with the schedule and targets for the bombing of Japan, and we didn't have that document.

Another document, also marked "Top Secret" and likewise originating in the Navy Department, dealt with the disposition of the Japanese fleet, subsequent to the major naval battle of October 1944. We didn't have that document.

And, I believe maybe the document you just mentioned; another stolen document, particularly illuminating, and of present great importance to our policy in China, and this is the language of Congressman Dondero, was a lengthy detailed report showing complete disposition of the units in the army of Chiang Kai-shek, where they were located, how they were placed, under whose command, naming the units, division by division, and showing their military strength.

We did not have that document.

Mr. MORRIS. That, therefore, was not presented to the grand jury?

Mr. McINERNEY. No, sir.

I did not close the circle on Jaffe's conviction.

Mr. MORGAN. I would like to see that done.

Senator McMAHON. Yes.

Mr. McINERNEY. It will take about 2 minutes.

Senator McMAHON. I wish you would, because there are two questions I want to ask, then.

Mr. McINERNEY. When I left off, I was testifying that we were trying to make the best bargain we could with Jaffe, in view of his motion to quash, which, as far as we knew, was fatal to our case, and also would disclose investigative techniques which we had rather not have disclosed—speaking for myself, now.

Senator McMAHON. Incidentally, Mr. McInerney, these documents that were not made available to the grand jury, if you had them, and

they had been made available to the grand jury, would they have been admissible before the petit jury?

Mr. McINERNEY. Well, that would depend upon the agency to whom they belonged. I guess they were ONI, and we would have to get clearance from ONI before we could use them.

Senator McMAHON. They had been seized by Mr. Bielaski. I am asking you a legal question. Having been seized by Mr. Bielaski in his raid on the office at night, and brought down to Washington, would they have been admissible?

Mr. McINERNEY. I think they would have been, if Mr. Jaffe had not made a motion to quash, and knew of the trespasses committed on his premises.

Senator McMAHON. That is the point I wanted to make.

Mr. McINERNEY. From the standpoint of evidence, they were admissible, unless they were vulnerable.

Senator McMAHON. Of course. Does the motion to quash, under the circumstances, run to those documents also?

Mr. McINERNEY. I would say that they would be suppressed.

After having Mr. Arant, Mr. Jaffe's lawyer, in the office for about 4 hours, he made me a firm commitment that he would plead his man guilty, or nolo contendere, and the agreement was that he would pay any fine imposed by the court, whether it was two thousand or ten thousand. That was the arrangement.

Senator LODGE. Why do you think he made that arrangement?

Mr. McINERNEY. Why did he do it?

Senator LODGE. Why did he do it?

Mr. McINERNEY. I think now that Jaffe may have been an espionage agent, which information we did not have at that time. We knew him only as a publisher of a magazine.

Senator LODGE. He thought you might have something worse than you had on him?

Mr. McINERNEY. That is my second guess, as of this moment.

The reasons he asserted, or the reason was, that he was tied up in litigation, in some arbitration proceeding which took his whole summer; his wife had just gotten out of the hospital the previous Saturday from a very serious heart condition, and his attorney, Mr. Arant, also stated that his practice was such that he could not take on a protracted trial of this case, which he wanted to do on the basis of a "Drew Pearson defense," as he described it—that he thought that these newspaper reporters and magazine people had an implicit license or an implied license to get this stuff, and that this was nothing more than reportorial enterprise.

Senator LODGE. What happened to Jaffe, since?

Mr. McINERNEY. Well, I don't know, sir.

Senator LODGE. Has the FBI ever gone ahead with an espionage case and tried to get him on that?

Mr. McINERNEY. No, sir.

Mr. MORRIS. Was Mr. Jaffe's Communist record made available to you at that time?

Mr. McINERNEY. I would say yes. He was described in the FBI reports as a Communist. He was never described as having a Communist Party card, but his Communist complexion was so strong I assumed he was either a secret or open member of the Communist Party. We had three or four visits to Browder's home, and at least

one visit to the Communist Party headquarters; and, visits of Browder to his house against him, I assume that he was a Communist Party member.

Senator McMAHON. Looking at it now—you have had a long time to review it—is there any evidence in the file anywhere—that was not subject to a motion to suppress or a motion to quash—that could have sustained a conviction of anybody in this case?

That calls for an opinion, I know.

Mr. McINERNEY. It calls for a comprehensive recollection, too.

You say "any evidence."

I would say offhand that the only evidence we had, assuming motions to quash by all defendants—

Senator LODGE. What?

Mr. McINERNEY. Assuming all defendants whose premises were searched, all that we had was a close association between them, plus that one little piece of the agent seeing Gayn reading what appeared to be a Government document on a bus, on one occasion.

Senator McMAHON. If you had tried the case—let us assume that you had gone into court and tried the case—of course, that motion to suppress would have been a preliminary motion; would it not?

Mr. McINERNEY. Yes, sir.

Senator McMAHON. Would you have exposed at that time, I take it, your wire-tapping techniques?

Mr. McINERNEY. Well, if they had a hearing on it, and a jury was demanded in connection with this motion to suppress, and if there was a hearing—our surveillance would have been put in jeopardy by wire taps.

As you know, telephonic surveillance is a great aid to a physical surveillance, and the fellow using a phone may say that he will meet you at the La Salle Restaurant at 6 o'clock, and the agent gets that, and if they lose him on the tail, or if they know he is not going out until 6, you can readily see it would be of great assistance. Therefore, anything you pick up on that tail, if it was learned through wire tapping, when the surveillance was inaugurated by reason of the wire tapping, that would be fraudulent testimony.

Senator McMAHON. Now, you see, it is rather hard for the fellows who have not been trained in the law to understand how, in the midst of the war, these people could have dealt with the Government's material the way they did, and get a \$2,500 fine.

I called the attention of the committee this morning to the fourth amendment of the Bill of Rights, the right of people to be secure in their persons and houses and effects. I know the answer, but I want it in the record.

Was the fourth amendment abrogated by anybody at any time during a period of war?

Mr. McINERNEY. No, sir.

Senator McMAHON. Could it be?

Mr. McINERNEY. I don't believe so. No; it could not.

Senator LODGE. I want to ask a question there. It must stand to reason that there is some obligation for the security of the troops, and the security of the men at sea, and the security of all the men in uniform; and it is just going to be awfully hard to convince an awful lot of people that here was this great store of information that was of great military value—at least supposed to be; somebody

thought it was—and here these people had it and they got off with a slap on the wrist. It must have seemed to a great many people that, where there is a will, there is a way, and it will be awful hard to clear that, I think.

Mr. MORGAN. There was one observation made by Mr. McInerney that I would like to ask a question regarding, in order that there be no misunderstanding.

I believe, in the characterization of those documents, you referred to a great many of them as being "silly to classify them as they were," and I am asking you now, if, in connection with that statement, you had in mind that portion of the espionage statute that required that material of this character be relative to or relate to the national defense or defense of the country. I am afraid that our record would appear otherwise. You used it in one sense, whereas I think you were probably using it in another. At least you might want to explain what you meant when you said it was silly.

Mr. McINERNEY. Yes, sir. It was in connection with the ultimate standard of relationship to the national defense that the classification of a great number of these documents was silly.

Mr. MORGAN. I think on our record that we might note—and I would like for your observation on this—that the mere fact that the document might be classified would not, from the standpoint of the espionage statute, be related to the national defense, in a court proceeding.

Mr. McINERNEY. No, sir; it would have no relevancy.

Senator LOOMIS. This comes as a complete revelation to me; that anybody could ever think that a top secret or any of those high classifications could be silly. If those things were silly, and were so regarded by people, it is just a wonder we didn't have some dreadful military disasters. That is all I can say, and I think I am sure that Mr. McINERNEY is telling us the truth, and I know he is a man of such fine reputation, and that is what makes the revelation so appalling to me. It is appalling to think that things ever got to that pass.

Senator McMAHON. On the other hand, let us reduce it to an absurdity. Suppose on the other hand, somebody wrote a report on the weather in France. Let's not take that, because that could be very secret in wartime; but let us say they wrote a report about Cabot Lodge and said that he is 6 feet 3, and has lost some weight, and then through mistake, as it went through, it was stamped "Top secret" and then somebody took it up and handed it out—

Senator LODGE. That isn't the way it happened.

Senator McMAHON. I said, "Let us reduce it to an absurdity." I am making the point that that would have no relationship at all to the national defense; and, if somebody took that and handed it out, I think that is the point that Mr. McInerney is trying to make; there could be no criminal prosecution made on the basis of that.

Senator LODGE. The regulations in the Army were quite specific as to the evaluation of documents, and you were supposed to read them and familiarize yourself with the criteria that you were supposed to apply in evaluating the classification of a document, and the idea that there were birds sitting around with top secrets, putting them around carelessly like that, doesn't correspond with my experience at all, and I have had a lot of that.

Mr. MORGAN. Perhaps I can make clear what I had in mind, by asking the question this way.

What I want to ask, Mr. McInerney, is—this is in contemplation of the Espionage Statute, that provision requiring that the document shall relate to the national defense—would the fact that the document was a classified document stand up in court as evidence that it did relate to the national defense?

Mr. MCINERNEY. No, sir.

Mr. MORGAN. That is the point I wanted to make in my question.

Senator LODGE. It is not a question of whether it stands up in court as a document relating to the national defense. The question is whether—if the lives of young men were involved and their security, whether it stands up in court or whether it doesn't is one thing; and another—and it comes as a great shock to people—is that while the troops were out in the forward area that back there there was such a careless attitude toward such a vitally important problem.

Senator McMAHON. The problem faced was serious—

Senator LODGE. I am accepting what he says at its face value, and just expressing my horror that such a condition should come to pass, because you never saw anything like that in the service. We took our classified documents very seriously.

Mr. MCINERNEY. I think the observance of classification or the classification system was stronger in the military ranks than in OWI or OSS or the State Department.

If I might read one sentence of the House committee's report with respect to this subject which we are discussing, on page 7 of the report:

Most of the classified documents, classified items in question, were copies. There were few if any original documents. Most, if not all, of the documents listed as originals, or duplicate originals, in the recapitulation heretofore set out were hectograph, ozaloid, or mimeographed copies. The bulk of the records were not of recent date. Some were dated as early as 1936, were innocuous in content, and could have been generally known to anyone interested in the information they contained.

Senator LODGE. That happens sometimes. There is no human being made perfect. There is no system that is carried out, without a few imperfections here and there.

When you have 12 or 18 million men in the service, some of them are going to make an error at some time; but the fact that some documents were evaluated incorrectly certainly does not mean—and I do not think you mean—this whole classification system should be disregarded and thrown to the winds. I know you don't mean that.

Senator McMAHON. The jury has the right to weigh the classification against the content of the documents in the prosecution, you see. In other words, simply stamping it would not make it *prima facie*; would you say?

Mr. MCINERNEY. Not even that.

Senator McMAHON. It would not?

Mr. MCINERNEY. No, sir; as you probably saw in the courtroom yesterday, up in your home State.

Senator McMAHON. About Adler?

Mr. MCINERNEY. The Adler judge ruled that the fact that he belonged to an organization that had been classified as subversive by the Attorney General—that classification by the Attorney General—was of no evidentiary value.

Senator McMAHON. It would have to stand on its own legs—would it not—as proof of its seriousness, and its right to that classification?

Mr. McINERNEY. Yes, sir.

Senator McMAHON. Let me ask you: This case, before it was finally disposed of, I suppose was the subject of frequent conferences between you and other officials of the Department, including the investigative branch?

Mr. McINERNEY. Well, I want the Department to assume the responsibility for this case, and I am not—while we pick up from the investigative branch on this case, the record won't show that, and I want it known that the decision was that of the Criminal Division, and that of the Attorney General, that everything that was done in this case was approved by the Attorney General, and as you know, the FBI expresses no view as to prosecution, they take the position that they are evidence and information collectors, and that they have no official view with respect to what is done with the case.

Mr. MORRIS. Mr. McInerney, may I ask a question—

Senator McMAHON. Just as soon as I am through. I'll tell you when I am through.

Was this subject to any protest from the State Department, OSS, or any branch of the Government at the time?

Mr. McINERNEY. No, sir. The State Department was very avid for this prosecution. During that time, that summer, the State Department was under continuous attack for spearheading this prosecution. These people took the position that they were being persecuted, because they were expressing a viewpoint different than that of the State Department.

Now, speaking again of Jaffe and Roth—Service made no statement, Larsen made no statement, and Mitchell made no statement, but this was presented by them to the public as persecution by the Department of State, and I know the Department of State did have an interest in this prosecution, because when we finally indicted these people, they were disappointed that they could only get 2 years, under the statute.

Senator McMAHON. Did they file any formal protest as to the disposition, or informal protest, as to the disposition of the case?

Mr. McINERNEY. No.

Senator McMAHON. In looking back over the whole situation, Mr. McInerney, I want to ask you the question—looking back over the whole situation, having in mind the uproar that this case caused, I know you will be free in discussing this, was there anything that was done in the case, or left undone, and I accept, of course, the illegal searches and seizures, that you would change?

Mr. McINERNEY. No, sir; nothing.

May I close this circle now to bring Jaffe into court?

We made that agreement with Jaffe's attorney, and of course he went out from my office, and from there, on the front pages was the motion to quash.

Senator McMAHON. It would be interesting, if we could have one of those press clippings for our record.

Mr. McINERNEY. I have one here. The only reason I brought it up was to show this all happened on the one day, September 28.

Senator McMAHON. Will you let this be copied in the record and returned to you?

Mr. McINERNEY. I will furnish a photostat.

Before Arant left my office, I didn't want to give him a chance to see the paper, and change his mind, and I thought maybe the motion to quash might not be in the newspapers until the following day, so, I asked him the earliest time at which Jaffe could plead, and he said, "Why, he is in town," or "I could get him, we can plead him tomorrow."

I said, "Well, tomorrow is Saturday, and the judge won't be there, I'm sure; but, if I can get a judge, will you have him in?"

So I called Judge Proctor, who was sitting, I believe, in the Criminal Branch, and asked him if he would take a plea on Saturday morning, and he protested, and I explained that there were special circumstances, and he agreed to sit on Saturday morning, and he did sit, and presumably the transcript of what transpired can be put before the committee.

The judge imposed a fine of \$2,500.

We were then left with Larsen and Roth.

Larsen's motion to quash was still unheard, and his attorney came in and asked if a small fine was imposed, he would plead him. We took the position that Larsen was a nonentity in this case, he had been corrupted by Jaffe, he was penniless, didn't have any money, and we recommended a fine of \$500 for him, which, as a matter of fact, was paid by Jaffe.

That left Roth.

(Senator Tydings returned to the room.)

Senator McMAHON. I would like to ask this question: When you reached an agreement with Arant, and then he did get out on the street and saw the announcement by Larsen that he had filed a motion to suppress, did you hear from him again?

Mr. McINERNEY. Yes, I did, I saw him in court the following morning.

Senator McMAHON. Did you hear from Jaffe's lawyer subsequent to his agreement to plead his man, and before he made the plea?

Mr. McINERNEY. Yes, sir, I did.

Senator McMAHON. In what way did you hear from him, by telephone or in person?

Mr. McINERNEY. I met him in court.

Senator McMAHON. Saturday morning?

Mr. McINERNEY. In district court, Saturday morning, in Justice Proctor's chambers, or Justice Proctor's courtroom.

Senator McMAHON. What did he say?

Mr. McINERNEY. He alluded to the newspaper article which had appeared in the newspaper after he left my office, the night before, and he referred to me jokingly as "a son of a bitch," that I had got a commitment out of him knowing that this motion was on file, I had got a commitment from him knowing that he probably had the same motion to quash available to him, and I asked him, "Are you going to stay hitched," and he said he would.

Now, I am not pretending to quote his exact words, but he agreed to stand by his commitment to plead.

Senator McMAHON. He did?

Mr. McINERNEY. He did.

Senator LODGE. Has the FBI continued to watch him, in view of his being an espionage agent—Jaffe?

Mr. McINERNEY. I would certainly say so.

Senator Lodge. They haven't got enough yet to indict him for espionage?

Mr. McINERNEY. They consider that when he comes to the edge of a prosecution. They usually center their efforts. However, on these cases, we get the reports irrespective of prosecution, and I haven't looked at Jaffe's file, but I know we have received and are receiving information on Jaffe. I learned of the indication that he may have been an espionage agent in connection with another matter, not out of his own file, so I don't know the status of his own file.

Senator Lodge. Mr. Chairman, it seems to me that the correct procedure, and I stand to be corrected if I am wrong, I have no experience in these matters, but—that it would be for us, Mr. Morgan, to get the copies of all these documents in the Amerasia case, and take possession of them.

Senator TYDINGS. I agree entirely with you, and I will ask Mr. Morgan, through his staff, to ascertain where they are and to get them if possible and, if you have any trouble and I can be of help in getting them, let me know and I will do everything in my power to get them.

Mr. McINERNEY. I think there will be four sets.

Senator TYDINGS. I think we have done one job, maybe we can do another.

Senator McMAHON. If I may suggest, I am looking for a way to do our full duty, and yet leave the burden as much as possible, in view of our other duties—see if we cannot make it a little lighter, and it would seem to me now we have a general over-all view of the Amerasia case—

Senator TYDINGS. Would you allow me to interrupt you?

Senator McMAHON. Yes.

Senator TYDINGS. The only reason I state this is, because you ought to know this, and the statement I assume from your premise that you are going to make: I have just received another letter from Senator McCarthy, while I was over to get this, and he wants Mr. Donovan, and somebody else whose name escapes me, summoned. Of course, he gave it out to the press; they all had it before I got it.

Senator Lodge. William J. Donovan?

Senator TYDINGS. Yes. Of course, what Bill Donovan will tell is what Mr. Bielaski told; they were turned over to him, and he turned them over to Stettinius. If the committee wants it, we can go forward with that, but we will be here until September if we don't start to put our targets up.

Senator McMAHON. Let me make my statement—I am glad that you interrupted me.

Of course, we now know that no matter what we do there are certain members of the committee that are going to be scandalized and slandered. I am not, therefore, going to give him another excuse. That is all he needs, he doesn't really need that, to do that by refusing Donovan at this time. I would rather reserve on that by suggesting this: That our staff, with this view that we have taken, all day, and the over-all picture, get hold of the documents, and I think Mr. McInerney was right when he said they had been made available to the House, and I assume if you got that permission for the 81 from the President, those things will be made available to this committee, and I would like this staff start and go over there, start from the first

page and go to the last page of the record in this case, to give us an evaluation of what they believe it to be, with the recommendation of the witnesses that they feel should be called, in view of their evaluation of the evidence, and in view of the evaluation of Mr. Bielaski's and Mr. McInerney's testimony, and, pending that, the Amerasia case, as far as the committee is concerned will wait pending the return of this report by the staff, just stay in status quo.

Is that a reasonable suggestion?

Senator TYDINGS. Well, let me put that in a little simpler form, and see if we can all agree on it.

What you want is to first get all the documents concerned in this matter; secondly, what you want is to have our staff start at page one and go through them all, and make their evaluation. At any place along where the evaluations are being made, if they want, to call General Bradley, or somebody like that, if they have the committee's authority to pass on whether this is A-1, or A-2, or A-3, or whatever it is—is that your point?

Senator McMAHON. That is my point.

Senator TYDINGS. And that you want also from the Department of Justice, the indictment, you want the hearings in the House, you want all matters connected with this investigation that will throw any light on it or give us any leads to go in any direction that the committee may deem it wise to go in.

Senator McMAHON. That is right.

Senator TYDINGS. And that, until this is done, we let the matter stand, unless the committee feels it wants to proceed with it.

Senator McMAHON. We will proceed on the basis of the staff's evaluation.

Senator LODGE. I didn't understand what was meant by the evaluation of information as A-2 and A-3, and so forth.

Senator TYDINGS. You said you wanted to call in an expert on military matters, and I was trying to meet your point of view, to call in some military personnel to pass on and evaluate the documents, which is perfectly satisfactory to me.

Now, I don't know who they will call, but I think if Mr. Morris and Mr. Morgan can agree on an umpire, if one is needed, we don't have to go into those details.

They can get started on that and get it done in a fairly short time. I would like to get the staff to do more of this kind of work, rather than the committee, because I understand that some of those files are—How thick are some of the files?

Mr. MORGAN. Mr. McInerney can tell you, better than I.

Senator TYDINGS. How thick would these files be—off the record.
(There was discussion off the record.)

Senator McMAHON. My point is, that that, however, does not apply to the Amerasia case.

Senator TYDINGS. Oh, no.

Senator McMAHON. The Amerasia case and the loyalty files are entirely—

Senator TYDINGS. That dovetails into our suggestion, because if we can get started on this, we can work up on the Amerasia case through the staff, the staff can go through that while we are working on the other. We can't do both at the same time, as a committee.

I wanted to get through with the open sessions, because I felt that I could work out a solution with the President on this file business.

Senator McMAHON. Senator Lodge, would you be disposed to permit the chairman to announce to the press the procedure that we have adopted in the Amerasia case, if we adopt it?

Senator LODGE. I'm not going to foreclose myself from calling Bill Donovan. I think he is a great fellow, won the Congressional Medal of Honor, was head of OSS, and I don't think it is at all out of line for anybody to suggest that he be called.

Senator TYDINGS. Well, let's call him.

Senator LODGE. Let me finish. You asked me a question.

Senator McMAHON. All right.

Senator LODGE. I don't mind being interrupted.

Senator McMAHON. Go ahead.

Senator TYDINGS. You're not going to be able to go to Europe on the 22d of May, because we're not going to finish up down there on the 22d of May.

Senator LODGE. I can do it when I get back.

Senator TYDINGS. All five of us have to be there. We can't have a divided group.

Senator LODGE. How man we all read the same document at the same time?

Senator TYDINGS. They will read them to us.

Senator LODGE. We will sit there and have them read them out loud to us?

Senator TYDINGS. That is the only way you can decide the case.

Senator LODGE. I think that is a poor procedure.

Senator TYDINGS. It is the only procedure the President is going to stand for.

Senator LODGE. I don't have to accept it, verbatim.

Senator TYDINGS. We don't have to go down there.

Senator LODGE. I will go. I know that we have a government of checks and balances here.

Senator McMAHON. Don't let us get into that.

You missed my point, I'm afraid.

Bill Donovan is a personal friend of mine and I am very fond of him, and I will be delighted to hear him on anything at any time. My point is that we should hear Bill Donovan after our staff has made an evaluation of the case so that we could get a more orderly view of it. That is the only point I make.

Senator LODGE. All I was trying to say was, I was not going to insist, was not going to be difficult, but, we were going to call Bill Donovan. That is what I have been trying to say.

Senator TYDINGS. I don't agree with you. I think if you give such a statement out to the press, you are going to be misrepresented as throwing the case out the window, particularly by some people whose name I won't mention. My suggestion is this, that we simply say we have asked our staff to assemble all of the documents, all of the papers, and all of the procedures and make the most thorough investigation while we pursue our own investigation and leave it stay at that.

Senator McMAHON. That is all right with me.

Senator TYDINGS. What do you think of that?

Senator Lodge. I think it's all right for the staff to look into that, tell the staff to do that. I don't want to have the impression go out that there is any hidden meaning to that, or foreclosing ourselves from calling any witnesses that we may want to call.

(There was discussion off the record, at the conclusion of which Senators McMahon and Lodge left the room.)

Mr. MORGAN. Mr. McInerney, the questions that appear pertinent to me at this point, and the prior questions by the staff, are, No. 1—why was Kate Mitchell not indicted?

Will you state that again, Mr. McInerney.

Senator Tyndall. You two men go ahead.

(Senator Tydings left the room.)

Mr. McINERNEY. There was no evidence that Kate Mitchell ever solicited or received a Government document.

Mr. MORGAN. Why was the case against Roth not pursued all the way?

Mr. McINERNEY. With respect to Roth, we naturally assumed before his arrest, that he was supplying ONI documents. However, after his arrest, and after we had an opportunity to analyze these documents, we found that there were no ONI documents involved in this case after September 1944, and that was the date that Larson left ONI. That leads us to believe that Roth had never supplied any ONI documents to Jaffe, anyone else. We had no evidence. We found no documents on Roth at the time of his arrest or before. We brought him in the case primarily because, among the effects in Jaffe's office were found some handwritten notes, I think some of it was on yellow pad paper, and some of it was on some Statler stationery, and I believe there was one or two which were written on his typewriter.

The circumstances under which that was copied was something for us to try to prove. He made no admissions, and we had—Jaffe had made his agreement through his lawyer, and we also made the same agreement with Larson's, that we could examine them as to the complicity of Roth. We were naturally cynical of whatever Jaffe might give us with respect to Roth, but we did interview him at considerable length, in December 1945, and while Roth's case was still pending, and he stated that these documents—and I might interpolate at this moment, that the documents which were hand-copied and typewritten were probably the most innocuous of all the documents in the case, they had to do with speeches in the Indian Assembly, political developments in India, and things which I believe were in the public domain—and, he stated, Jaffe stated, that he had obtained those documents, not from any Government employee, but from some Hindu officials and that he was under some obligation to return them, and he stated that he was called, on one occasion, he was at the Statler and the gentleman wanted the document back and he asked Roth to hand-copy them out, copy them so he could return them. In other words, his testimony completely exculpated Roth.

No one else testified, could testify about any document that Roth ever received, or passed on.

Mr. MORGAN. As the responsible prosecuting official in the case, am I to understand that the case against Roth was dropped because you did not have evidence sufficient to convict him?

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. I don't think I need dig into this, in view of the amount of publicity that has been given, but by way of suggestion on the point, the attorney, one of the attorneys who handled this case was Mr. Hitchcock, is that correct?

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. It has been suggested that Mr. Hitchcock, following the handling of this case, became associated with a law firm in Buffalo, N. Y., a firm in which the uncle of Kate Mitchell, one of the subjects in this case, was a partner.

I am wondering if you have any facts, Mr. McInerney, that might enlighten us on Mr. Hitchcock's relationship with this firm in contemplation of his connection with the handling of this case?

Mr. McINERNEY. Mr. Hitchcock, Robert Hitchcock was the first assistant United States attorney in Buffalo, N. Y.; I think beginning in about 1935, he was largely responsible for the entire operation of that office, which I think I placed in the record before. During the war, he was brought down to Washington as a special prosecutor of internal security cases.

At the time of this arrest, he was in Buffalo, having returned to the office there, as a special assistant to the attorney general.

On June 12, 1946, at the request of General Grove, he wanted some investigation conducted in Canada with respect to the atomic energy program, and I, being his liaison man with Justice, and this investigation being in the vicinity of Buffalo, I asked Mr. Hitchcock to meet me in New York to discuss the atomic energy investigation in Canada. It was not an investigation, it was a special matter.

And, it was at that meeting in New York, on or about June 10, that I took occasion to ask Mr. Hitchcock if he would handle this case. He said that he would.

At the conclusion of the case, he returned to the office in Buffalo and was in the United States attorney's office, and continued there until the end of 1946.

He was the outstanding Federal prosecutor in Buffalo, and at the time had more experience as a trial lawyer than anybody else in town.

This law firm which you mentioned is Kenefick, Cooke, Mitchell, Bass & Letchworth, Marine Trust Building, Buffalo, N. Y.

This firm is the largest firm in Buffalo, and represents most of the big corporations such as Chrysler, General Motors, U. S. Steel, in the city of Buffalo.

In December 1946, more than a year after the termination of this case, Mr. Bass, of this law firm, came to see Mr. Hitchcock. Mr. Bass stated that his firm, representing so many big corporations, was being inundated with portal-to-portal suits, and they needed immediately a Federal trial attorney.

Mr. Bass told Mr. Hitchcock that he had made inquiries in Buffalo as to the best available man, and that it was the consensus of everyone he spoke to that Mr. Hitchcock was the best trial attorney at Federal court in Buffalo, and he then offered Mr. Hitchcock employment in the firm.

Mr. Hitchcock told Mr. Bass: No. 1, he said, "Mr. Bass, I want you to know that I am a Democrat," knowing that the law firm was a very stanch Republican firm. Mr. Bass said, "I know that."

Mr. Hitchcock said, "I want you to know, secondly, that I am a Roman Catholic." He knew that there was no Catholic in the firm.

Mr. Bass said, "I know that."

"No. 3," Mr. Hitchcock said, "I want you to know that I was involved in the prosecution of the Amerasia case, and one of the persons involved in that case was Kate Mitchell, who, I believe, is a granddaughter of Mr. Mitchell, a member of the firm."

Mr. Bass said that he did not know that.

As a result of those conferences, Mr. Hitchcock was hired and handled portal-to-portal cases.

Mr. Hitchcock recently asked Mr. Bass whether he had ever informed Mr. Mitchell about Mr. Hitchcock's connections with his granddaughter's case, Mr. Bass stated that he could not recall that he had, that he was not on friendly terms with his partner and that it was unlikely that he had ever mentioned it to him.

Mr. MORGAN. For the record, Mr. McInerney, how do you know this? Is this what Hitchcock told you?

Mr. McINERNEY. Yes.

Mr. MORGAN. Another matter I believe that has been bruited about in the present discussion, is that Mr. Mitchell the father of Kate Mitchell, proceeded to New York, contacted a Colonel Hartfield, an attorney in the firm of White & Case, and that Colonel Hartfield in turn, by reason of his connection in the Department of Justice, proceeded to Washington and, to put it tersely, worked a fix of this case.

Do you know anything about such reports, and if so, can you comment on them, one way or the other?

Mr. McINERNEY. Yes, sir. I have seen that report. Mr. Hartfield, to my knowledge, and I might state for the record that to Mr. Hitchcock's knowledge, who was immediately in charge of the case, that Mr. Hartfield never appeared, and never consulted or ever saw either Mr. Hitchcock or I or Mr. Anderson, who was assisting Mr. Hitchcock. The only conference that I ever attended with the Attorney General, Attorney General Clarke, Mr. Hartfield never attended.

I might say that, to my knowledge, and to Mr. Hitchcock's knowledge, he never appeared at the Department in connection with this case.

A member of the firm, Lowell Wadmond, I believe, who was a former assistant United States attorney, in the southern district of New York, and who has been the number one trial attorney for White & Case for a number of years, did appear and did represent Miss Mitchell, whether as a result of Mr. Mitchell's visit to New York, I do not know.

Mr. MORGAN. In the entire case, Mr. McInerney, were you subjected to pressures from any sources to resolve the case one way or the other?

Mr. McINERNEY. No, sir. We never dealt or discussed this case with anyone except the attorneys who were representing these people—of record.

Mr. MORGAN. The suggestion has been made here of the possibility of White House pressure. Was there such pressure brought to bear in the case?

Mr. McINERNEY. I never received any indication of White House pressure, or anyone saying they were calling from the White House. There was one call, which I did not know of of my personal knowl-

edge, and I have learned it only recently, and I was told that President Truman had called an official in the Department and stated that he did not want any interference or anything to delay the presentation of this case. He wanted this case pressed.

Mr. MORGAN. As the responsible prosecuting official, Mr. McInerney, is it proper to conclude from what you have said, that you had complete freedom of rein in handling this case, and that anything that was done in connection with it, was properly on your own responsibility?

Mr. McINERNEY. Yes, sir, completely.

Mr. MORGAN. I think we also might have, in view of the nature of the inquiry, again, your specific observation in connection with possible pressure from the State Department.

Mr. McINERNEY. The only pressures from the State Department were for the prosecution.

Mr. MORGAN. Do you recall who they were, specifically, that suggested the wisdom of that?

Mr. McINERNEY. Yes, sir. General Julius Holmes took a very strong interest in this case, and followed it very closely, and he was the gentleman who was disappointed about some of the people being no-billed, and that they only could be subjected to imprisonment for 2 years.

They conferred with us frequently, five or six times a week. I know that during the proceedings, General Wedemeyer gave a citation to Service, and they asked us for our permission to convey it to him, and they consulted with us about restoring him to service, they consulted us as to whether publishing houses could accept Roth's book for publication, and Jaffe's and they were very scrupulous about not doing anything which might interfere or embarrass this investigation in any way.

I might make this one little amendment. I want the record to be complete on this.

With regard to anyone coming in to the Department, the people who represented Jaffe in New York was the firm of Congressman Emanuel Celler, and he did come to see me once, in the Department, immediately after the arrest, and he talked to me in terms which I understood to be that Jaffe might be in a position to help the Government in this case. I was left with the impression that Jaffe might become a Government witness.

After that conference, his associate took over in the case and I never saw Congressman Celler again.

Mr. MORGAN. Now, this case of course has been rather celebrated in the press, and you doubtless are as familiar with various ramifications of it, that is reports of various ramifications of it, as anyone here, perhaps more so.

Are there any other considerations that have been expressed in the press, one way or the other, that you would like to clear up at this point, of any kind?

Mr. McINERNEY. Well, I would like to say this: With respect to the series of articles which are appearing in the Scripps-Howard newspapers, that these articles are more or less factual, except for the conclusions and overtones contained in them; and, immediately after the three people in this case were no-billed, the author of those articles came to Washington, Mr. Woltman, and he was very exasperated

and took the view that as a result of the no-bills, someone could be sued for libel, as a result of newspaper articles published in this case. The Scripps-Howard papers were subsequently sued for libel by Mark Gayn, I believe as a result of Mr. Woltman's articles. They came down to see me, to see if I could help them in their libel suit, and I did help them, as far as I could.

A representative of the Scripps Howard papers came to see me within the past month, the same gentleman who had been to see me before, and he told me that that suit by Mark Gayn was still pending against Scripps Howard newspapers.

Mr. MORGAN. As you know, Mr. McInerney, this subcommittee is charged with inquiring into the possibility of disloyalty in the State Department. From your consideration of this case, and from your viewpoint, is there any evidence, to your knowledge, in this case of an effort to shield or to harbor disloyal persons in our State Department?

Mr. MCINERNEY. In the Amerasia case?

Mr. MORGAN. Yes; in the Amerasia case.

Mr. MCINERNEY. No, sir. The only two employees involved, of course, were Larsen and Service. Larsen having pled guilty, was not reinstated. Service, having been unanimously no-billed was rehired.

Mr. MORGAN. You saw all of the evidence I assume, available in connection with John Service?

Mr. MCINERNEY. Yes, sir. You mean—

Mr. MORGAN. At that time.

Mr. MCINERNEY. I, personally?

Mr. MORGAN. I mean, at the time of the prosecution, were you cognizant and familiar with the evidence against Mr. Service?

Mr. MCINERNEY. Yes, sir.

Mr. MORGAN. And, on the basis of your knowledge of such evidence, did you feel that prosecution of him was warranted?

Mr. MCINERNEY. No, sir.

Mr. MORGAN. I believe you stated that the grand jury returned no bills, a no bill there of 20 to 0, is that correct?

Mr. MCINERNEY. That is right.

Mr. MORGAN. In connection with your handling of this case, after it became apparent to you that the possibility of the motion to quash might jeopardize the entire prosecution, was it necessary to make any agreements with the attorneys for these defendants whereby you would not call certain information to the attention of the court? Anything of that character?

Mr. MCINERNEY. No, sir.

Mr. MORGAN. I believe those are the only questions I have to ask. Do you have any, Mr. Morris?

Mr. MORRIS. I have three questions, Mr. McInerney.

I have read in the public press, Mr. J. Edgar Hoover is reported to have stated that he had an airtight case, having presented his evidence to the Department of Justice.

Could you comment upon that?

Mr. MCINERNEY. Yes, sir. I believe the statement attributed to him was "100 percent airtight case."

Mr. MORRIS. Yes, sir.

Mr. McINERNEY. Yes, sir.

Mr. MORRIS. That is right?

Mr. McINERNEY. Mr. Hoover did not make any such statement.

Mr. MORRIS. He made no such statement?

Mr. McINERNEY. No, sir; and he has denied it.

Mr. MORRIS. Do you know the circumstances surrounding Lt. Andrew Roth's leaving the service as a United States naval officer?

Mr. McINERNEY. No, sir.

Mr. MORRIS. Could you, in your capacity as liaison with General Grove, could you tell us what process was undertaken when an applicant for employment in the Manhattan project came up for consideration?

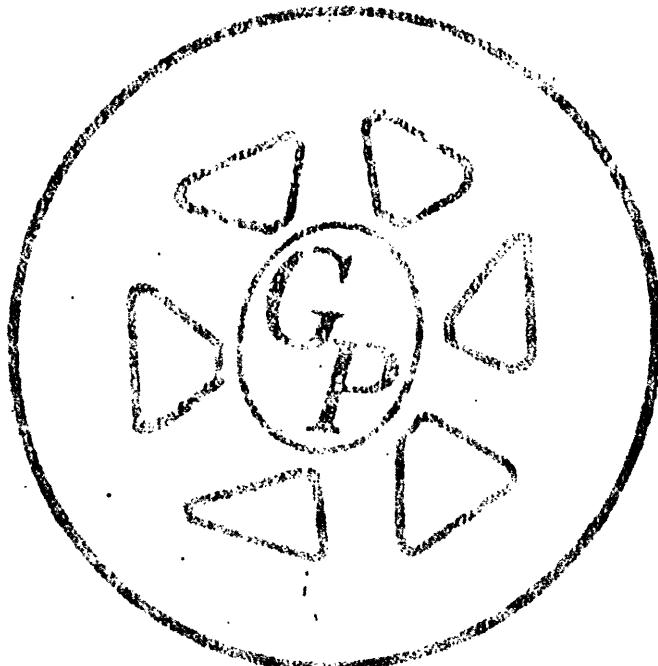
Mr. McINERNEY. No, sir.

Mr. MORRIS. Those are my only questions.

Mr. McINERNEY. Thank you.

Mr. MORGAN. I guess that is about all for the day.

(Whereupon, at 6:20 p. m., the subcommittee stood in recess, subject to call of the Chair.)



STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

FRIDAY, MAY 26, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met, at 10:30 a. m., in room G-23, United States Capitol, pursuant to notice, Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings and McMahon.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee, and Mr. Robert Morris, assistant counsel of the subcommittee.

Senator TYDINGS. The subcommittee will please come to order.

We have Mr. Hitchcock, Mr. McInerney, and Mr. Ladd here. First we will hear from Mr. Hitchcock. I will have to swear you first.

Mr. HITCHCOCK. All right, Senator.

TESTIMONY OF ROBERT M. HITCHCOCK

Senator TYDINGS. Please state for the record your full name and your present business.

Mr. HITCHCOCK. I am Robert M. Hitchcock. I am a lawyer, and a member of the firm of Kenefick, Bass, Letchworth, Baldy & Phillips, Marine Trust Building, Buffalo, N. Y.

Senator TYDINGS. You are in private practice now?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. Are you connected with the Government in any way now?

Mr. HITCHCOCK. No, sir.

Senator TYDINGS. At the time the Amerasia matter was being pushed by the Government, I think it was 1945, wasn't it?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. You were in the United States district attorney's office in Buffalo, were you not?

Mr. HITCHCOCK. I was special assistant to the Attorney General, assigned to the Criminal Division, and had been officially since March 1, 1948.

Prior to that time I had been for a period of 8 years assistant United States attorney in the western district of New York.

Senator TYDINGS. So you were in the Department of Justice at the time the Amerasia matter came to a head?

Mr. HITCHCOCK. Yes, sir.

Mr. MORGAN. Senator, might it not be helpful to have Mr. Hitchcock's professional background in the record at this point?

Senator TYDINGS. I think so, yes. You may give it at this point, Mr. Hitchcock.

Mr. HITCHCOCK. I was graduated from Georgetown University with an A. B. degree in 1925. I was graduated from Fordham Law School with the degree of LL. B. in 1928. I taught at Fordham University between 1926 and 1933. Was admitted to the bar in January 1920. Practiced law in New York until the summer of 1933, when I and my family moved to Dunkirk, N. Y., which is about 45 miles from Buffalo. I practiced there and on March 4, 1935, had been appointed and qualified and became an active United States attorney, became active as an assistant United States attorney for the western district of New York, where I remained continuously until March 1, 1943. At that time I became a special assistant to the Attorney General, assigned to the Criminal Division, where I continued until January 24, 1947.

I then became associated with the law firm then known as Kenefick, Bass, Letchworth & Mitchell in the Marine Trust Building at Buffalo.

On January 1, 1948, I was made a partner in that firm and have been with them continuously since and am with them now, with the exception of between 2 and 3 weeks in late September and early October 1948, when I was borrowed from the firm by the Attorney General at his personal request to do a special assignment, which I did.

Senator TYDINGS. Mr. Hitchcock, your testimony and the testimony of all of the others in the Amerasia matter in the House hearings is now available to us. I tried to get that testimony a month ago and have been trying to get it ever since. While they didn't seem to want to turn it over to me, eventually it was all made public. So now we have it and it is not my disposition to go back over again much which has been pretty well covered because we can make the House hearings a part of our hearings by the mere insertion in the record if we so desire, but what I am interested in doing now is primarily this: To ascertain from you, who was in charge as I understand it, of the prosecution of the defendants in the Amerasia case, after their arrest; as to why, in your opinion, some persons were not indicted; why, in your opinion, the fines were advisable; and why, in your opinion, it was not possible to prosecute individuals for the actual taking or stealing of the documents from the State Department; why, in your opinion, it was not possible to indict and prosecute people for not only stealing the documents, but actual handing over of said documents to A, B, or C in the case.

They are the questions which the public seems to be interested in more than any other detail of the case. So, with that background showing you what my main questions will be, I would like to start out by asking you why it was advisable to accept a fine in the case of Jaffe and Larsen.

Mr. HITCHCOCK. Senator, night before last I prepared a memorandum, because I have been reading the newspapers, which I prepared from a copy of the draft of the report that I had made to the Attorney General, I think in early 1946, at the time it was up in the House investigation, from memory. I believe those questions are

fully answered in the memorandum, so I would like to offer it and leave it as an official statement.

Senator TYDINGS. How long is it?

Mr. HITCHCOCK. Some twenty-odd pages.

Senator TYDINGS. What do you cover in that memorandum?

Mr. HITCHCOCK. I cover in that memorandum matters, from reading the press, which seem to affect me most directly, and roughly, there are four matters:

1. On the press publicity and erroneous implication that evidence was withheld from the grand jury, or grand jurors.

2. There were two which had something to say about why they were not indicted.

3. The defendants in the case, Kate Mitchell, Mark Julian Gayn, and John Stewart Service, something apparently sinister in the fact there were two grand juries in the case.

4. An erroneous implication that I was directed, or ordered by someone in high official position to dispose of the case as to Jaffe, as to Larsen, and as to Roth, who had been indicted by the grand jury.

5. Something sinister or at least unprofessional by implication in the fact in January 1947 I became associated with a law firm in Buffalo, the senior partner of which firm at that time, was the uncle of Kate Louise Mitchell.

Senator TYDINGS. Now you have got a memorandum with you?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. Let me see it, please.

Mr. HITCHCOCK. Yes, sir. In other words, it narrates from best I can from memory at this time my procedure in the Amerasia case.

Senator TYDINGS. I think it would be advisable, if you don't mind it, to read it. Senator McMahon will be here in a little while, but Mr. Morgan and Mr. Morris are here.

Mr. HITCHCOCK. Maybe the reporter will be benefited by having a copy.

Senator TYDINGS. Yes; he can follow it along. Now just go right ahead.

Mr. HITCHCOCK. The first I heard of the Amerasia case was June 7, 1945, the day after the FBI arrested the six defendants in New York and Washington. I read of it in the papers. I was assigned to the prosecution of the case about a week later by Mr. McInerney and was assisted by Donald B. Anderson, an attorney in the Criminal Division, a former FBI special agent and a former district attorney and county judge.

Victor Woerheide, another attorney in the Criminal Division, also was assigned to assist. The warrants for the arrests charged conspiracy to violate the Espionage Act.

The FBI, in connection with the arrest of Jaffe and Kate Mitchell at the Amerasia offices had seized several hundred papers, many of which were clearly the property of one or more Government agencies, most of them of the State Department. Many others of the seized papers later were clearly established to be copies of similar records. The bulk of them were classified, as, for example, restricted, confidential, secret, et cetera.

In Gayn's apartment, when he was arrested, the FBI seized 60 items, of which 22 were Federal Communications Commission's reports or copies pertaining to interrogation of Japanese prisoners of

war. About 20 were typewritten copies of State Department papers, and 18 were correspondence or papers which were wholly personal.

Copies of some of the items found in Gayn's apartment were found in the Amerasia offices.

Senator TYDINGS. Where was Gayn's apartment?

Mr. HITCHCOOK. It was in New York. I have no present recollection of the address.

Senator TYDINGS. All right. Just so we identify the city.

Mr. HITCHCOOK. When Gayn was arrested, he made a statement that he knew some of the material seized was not generally available to the public.

He said he intended using it for background and no other reason. When he was asked where he got it, he said that in some instances he did not recall, and that in others, as a reputable newspaperman he could not disclose the sources.

Later, after Gayn had requested permission to appear before the second grand jury, Anderson and I interviewed him in the presence of his attorney. He told us that he received the FCC reports from the New York office of the Office of War Information, that the reports had been lent to him, that many other reports previously had been lent to him and returned by him and that he intended to return those which were seized.

We asked him from whom he obtained the reports.

He told us from or through George Edward Taylor, deputy director of area 3, OWI, and from Taylor's subordinate, Elizabeth Downing. While the case was in progress, Miss Downing married and thereafter was referred to as Elizabeth Barker. I mention that because the grand-jury record will show that, and it is the same person. Taylor and Elizabeth Barker were interviewed and corroborated Gayn's story. They were called before the second grand jury and again corroborated his story.

Gayn testified before the second grand jury and was no-billed.

FBI surveillance showed that Gayn and Jaffe were rather close.

It further showed that between March 21, 1945, and May 31, 1945, Gayn met with Jaffe, Roth, and Mitchell separately and together on several occasions. On two occasions he was with Service. Service stayed at Gayn's New York apartment one night. At most of these meetings still others were present. Many of the meetings were obviously social. These meetings proved nothing except mere association.

These reports of associations, together with the seized documents, made up the case against Gayn. There was no evidence that Gayn had ever received any material from any Government employee other than Taylor and Elizabeth Downing [Barker]. Taylor testified that he had authority to release such documents as were lent to Gayn.

Senator TYDINGS. Would you stop right there?

Mr. HITCHCOOK. Yes, sir.

Senator TYDINGS. Did he, or did he not, have such authority as far as you were able to learn?

Mr. HITCHCOOK. As far as I was able to learn, and I read only from the grand-jury testimony, he said that he had.

Senator TYDINGS. Did he say from whom he got it?

Mr. HITCHCOOK. Senator, I don't recall, but those grand-jury minutes I have not seen. I understand they are available and will show.

Senator TYDINGS. At any rate, it would appear from what you have read what Taylor has said, he, Taylor, did have authority to release these documents to Gayn, whether rightly given to him or not, and that Gayn had come by them in an orthodox manner?

Mr. HITCHCOCK. That was his testimony and Taylor and Gayn have testified that he did not come by those documents through theft or unlawful removal.

Senator TYDINGS. Is it your recollection there was no counter evidence that any of the documents Gayn had came from any other source except through Taylor?

Mr. HITCHCOCK. There was not.

Senator TYDINGS. I see. Go ahead.

Mr. HITCHCOCK. Gayn was wholly unacquainted with Larsen. Furthermore those FCC and OWI reports were somewhat generally available to writers on newspapers and other publications.

Gayn appeared before the grand jury in the first week of August. He waived immunity, testified, was examined thoroughly and was no-billed.

Now as to the case of John Stewart Service.

Senator TYDINGS. Was that unanimous, as you recall?

Mr. HITCHCOCK. No; the vote is given later in my report, 15 to 5, but that is covered in my report later.

Senator TYDINGS. You mean it is covered in this later?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. I won't anticipate. Go ahead.

Mr. HITCHCOCK. I am sure it is.

Senator TYDINGS. If it isn't we will come back to it.

Mr. HITCHCOCK. Service was a State Department employee who had spent most of his life in China. He was loaned to General Stilwell in August 1943 and remained with General Wedemeyer, successor to General Stilwell, until he was recalled through General Hurley in April 1945.

When he was arrested, the FBI obtained from him a written statement. In it he stated that after he was assigned to the Army, he was engaged in general political reporting, consisting mostly of interviews with Chinese leaders.

I might interpolate there. Service, in his statement and also in his testimony, says, if it makes any difference, while he was assigned to the Army he was still throughout his term on the payroll of the State Department.

His reports, he stated, went to the commander in chief of the United States forces in China and the United States Embassy at Chungking. He stated that he kept a copy for himself with the full knowledge of the embassy and Army headquarters.

In March 1945 he stated, he was sent to Yenan, the headquarters of the Chinese Communists who were holding a party congress, and made further reports, largely of conversations with Chinese Communist leaders.

These reports, he stated, were distributed in the same fashion and in addition a copy was brought back to the State Department. When he left China in April 1945 he claimed he had permission from the adjutant general at Chungking to bring back his personal files and copies of his reports, which he kept in his own desk in the State Department.

Service stated, and I am still referring to his statement made to the FBI upon his arrest, that he met Jaffe for the first time on April 19, 1945, and that they were introduced by Roth. He said that he knew Jaffe was the editor of Amerasia and assumed that Jaffe wanted to learn the latest news from China. He took along his personal copy of the report of a conversation with Mao Tse-tung, chairman of the central committee of the Chinese Communists. This conversation took place March 31, 1945, at Yenan and in it Mao Tse-tung detailed the policies expected to be adopted by the party congress.

Jaffe showed deep interest and asked if he had any other reports, Service stated. He explained that he regarded them as simply "reportorial" and not involving United States policy, or affecting United States security, he supplied Jaffe the next day with more of his personal copies.

Jaffe said he did not have time to read the reports and asked if he could take them to New York. Service consented, saying that he was going to New York the next week and could pick them up then.

Service did go to New York and stayed at the Gayn apartment. He stated that he had first met Gayn April 18, 1945, but that he had previously had some correspondence with Gayn and that he had gone to college with Gayn's brother.

On April 25, Service stated, he called at the Amerasia office and picked up the reports that he had lent to Jaffe on April 19 and 20. He added that Jaffe was in Washington May 3 and that he communicated with Service and said he would like to get a copy of the FCC monitored report of a broadcast of Mao Tse-tung's recent speech at the party congress.

Senator TYDINGS. That was a public document, wasn't it?

Mr. HITCHCOCK. It had been broadcast and that had been monitored by the FCC.

Senator TYDINGS. The reason I wanted to know whether it was public is that there might be confusion.

Mr. HITCHCOCK. Service said he took Jaffe to the State Department, obtained permission, got a copy of the broadcast and gave it to Jaffe at the State Department. Later in the day, a corrected version came in, several copies were run off and one was given to Service. When he left his office, he said, he went to Jaffe's hotel, gave him the copy and left.

Between April 19, 1945, and May 29, 1945, Service was observed by special agents of the FBI to meet with Jaffe, Roth, Kate Mitchell, Gayn, and Larsen separately and together on several occasions. At most of these meetings still others were present, which meetings were to all outward appearances social.

When Jaffe was arrested June 6, 1945 his brief case contained eight ozalids [copies similar to photostats] of Service's Yenan reports which were clearly identified as State Department property. Before the grand jury, Service denied any knowledge of Jaffe having these copies and said there was no reason in the world why he [Service] would have given them to Jaffe because he could have given Jaffe his own personal copies.

Senator TYDINGS. Would you mind waiting a minute there while I read this again?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. Now, if Service had given to Jaffe his own personal copies, would he have violated any injunction of secrecy as to State Department documents?

Mr. HITCHCOCK. To my knowledge he would have violated no law whatsoever or injunction the State Department may have had with reference to Service's personal copy. I don't know. My answer to that would be "no," which would be my personal opinion.

Senator TYDINGS. Let me see.

Mr. HITCHCOCK. Mr. McInerney just reminded me, sir, and which isn't covered in my memorandum, that Service also testified he didn't recall whether this was in the statement to the FBI, that he had lectured, after his return from China on April 18, 1945, on these very Yenan reports, at a public lecture, with the permission of a superior in the State Department. The lecture was in New York. I do not recall under whose auspices.

Senator TYDINGS. What I am really trying to get at is this: That if these were State Department documents, first of all, they had no business being in Jaffe's hands.

Mr. HITCHCOCK. These clearly were State Department documents. They were not Service's. I am talking about these eight ozalids in Jaffe's brief case.

Senator TYDINGS. That is what I am talking about. I am talking about those, the documents themselves. According to what you have said Service said he would have given his own personal copies if he desired to. It would make it appear that these particular eight documents, while they were illegally, or let us say, improperly in Jaffe's hands, really weren't the kind of documents that were in the classified category to any large extent.

Mr. HITCHCOCK. I don't remember how those documents were classified, but it would appear that Service had given them to Jaffe and, I think, when we turn the page we will have that complete.

Senator TYDINGS. What I am getting at is it would have confused most anybody if Service said "I could have given those to Jaffe, and that would be all right" but the fact he got it through the State Department doesn't make it all right?

Mr. HITCHCOCK. I think that is true.

Senator TYDINGS. That is true, but the point is, even if he did that improperly, would it have been all right to have gotten permission to give them to Jaffe without violating any secrets of our Government or violating any classification?

Mr. HITCHCOCK. Well, I don't have those Yenan reports before me, how they were classified or what. My recollection is they were reportorial conversations he had with various Communist leaders while he was spending some months in Yenan.

Senator TYDINGS. In the nature of things, I think at some periods during the war we classified documents as "secret," "confidential," "top secret," and so on, and you find there were a lot of things that could be published on the front page of all the newspapers in the country.

Mr. HITCHCOCK. I may say in connection with that, that Service, according to the statements, and I have never heard anything to the contrary, had discussed the contents of these reports publicly where he apparently—or a meeting had been arranged with some official in

the State Department, but the grand jury minutes will show the precise detail.

Senator TYNDERS. My point is a great many things classified as "secret" and "top secret" ought not to be released, but during the war the impulse is to stamp those things on nearly everything.

Mr. HITCHCOCK. Service said:

If I wanted to give Jaffe these reports, why in the world would I have taken those officially stamped or showing on the face that they were the property of the State Department?

Senator TYNDERS. He could have given copies of his own, or handed the original copies over. Go ahead now.

Go ahead now.

Mr. HITCHCOCK. Furthermore, Larsen subsequently admitted that he had obtained the ozalids from the State Department and delivered them to Jaffe. The personal copies which Service admitted lending to Jaffe never were part of the State Department files.

Reports made to the Department of Justice showed that Service's promotion and efficiency ratings were way above the average.

With the exception of the incidents on April 19 and 20, we had no evidence that Service had any dealings, other than social, with any of the subjects in the case.

When Service was arrested, not a thing was discovered in his apartment.

Service signed a waiver of immunity and testified before the second grand jury early in August, and he was no-billed unanimously.

Now as to the case of Miss Mitchell.

Senator TYNDERS. Let me interpolate there again because the House hearings will show a lot of this, but in order to give this a little more complete context, when Service was arrested, were there any other documents found in his apartment other than the copies he was permitted to have?

Mr. HITCHCOCK. They weren't even there. There was nothing found in his apartment. I may have forgotten that he recited he had his desk in the State Department and there were personal copies of these reports. I am pretty sure that is true. They were found there. I believe the agents searched his desk in the State Department and found these personal copies.

Senator TYNDERS. I think that is true, and he did have these personal copies which he was entitled to keep.

Mr. HITCHCOCK. That was my understanding.

Senator TYNDERS. Let me ask you this: Was there any evidence gathered by the FBI that came to your knowledge that showed that Service was connected in any manner, shape, or form with the taking or stealing of documents from the State Department other than we have had described here in your memorandum?

Mr. HITCHCOCK. No, sir; other than the clearly identified eight State Department ozalid copies which were found in Jaffe's brief case which I assumed, up until the time Larsen had admitted giving them to Jaffe, might well have come from Service.

Senator TYNDERS. Was he ever detected passing any document to anybody connected with this case or anybody on the outside?

Mr. HITCHCOCK. No, sir; not to the very best of my recollection.

Senator TYDINGOS. How much surveillance was put on Service? We will come to that, Mr. Ladd. Go ahead now. You are on Kate Mitchell.

Mr. HRENCOCK. When Kate Mitchell was arrested on June 6 at the Amerasia offices, some 31 items were taken from her desk. More than half of these were correspondence and papers that were wholly personal. Ten of the others apparently emanated from the FCC.

Senator TYDINGOS. The Federal Communications Commission?

Mr. HRENCOCK. Yes, sir. The FBI reported that no attempt was made to locate their origin as the information contained in them was in the public domain.

Senator TYDINGOS. There was no secret?

Mr. HRENCOCK. That is exactly it.

Senator TYDINGOS. The public domain means they are not secret? I don't know what other interpretation you can put on it.

Mr. HRENCOCK. Nor do I.

Senator TYDINGOS. Go ahead.

Mr. HRENCOCK. Two items were from the OWI. One of these was a clipping about the Shodo Society. No attempt was made to locate its origin. The other was a copy of War Department pamphlet 31-2, entitled "Civil Affairs Handbook--Public Health in the Japanese Empire November 1944."

There was one item from the State Department. This was a paper dated October 22, 1944, relating to Australian views on Pacific Islands. Its contents indicated that Curtin, then Australian Prime Minister, was to insist on Australian rather than British control of the islands after the war.

In the filing cabinets in her office—to which Jaffe had the keys—there were many items of Government origin. These were indexed in about 18 separate folders. The captions were in Kate Mitchell's handwriting or printing. Some of these were:

"Chinese Claims in Burma; Japanese Who's Who (Military and Diplomatic); War Prisoners' Comments; Kuomintang-Communist Relations; Chinese Communist Party; Sinkiang (Sino-Soviet Rel.); Interviews with Returned Visitors to China and Japan."

In addition to the presence of Kate Mitchell at places where other subjects were present, as already mentioned in connection with Gayn and Service, she was with Jaffe on many occasions, both at the Amerasia offices and at their respective homes.

One of these was of significance. On May 5, 1945, Kate Mitchell went by automobile with Jaffe to Mrs. Blumenthal's home in the Bronx. Jaffe went in alone. He came out about a quarter hour later with a large envelope. Jaffe let Miss Mitchell out near the Amerasia offices and she went into the building with the envelope. Mrs. Blumenthal testified before the grand jury that she had typed for Jaffe copies of Government documents.

When Miss Mitchell was arrested, she admitted that she had, or could have had, access to the various files and cabinets in the Amerasia offices where Government documents were found. When arrested, she initialed some documents and said that she knew the source of them but refused to divulge it. Later she told us and the grand jury that it was her understanding that Jaffe obtained them from Larsen.

There was no evidence that she ever received a single document from any Government employee or from Gayn. She was not in Washington during 1945 at any time prior to her arrest.

She signed a waiver of immunity, testified before the grand jury, was thoroughly examined and she was no-billed.

Now as to the case of Roth.

When the arrests were made in the Amerasia offices on June 6 the FBI agents found a copy made on Roth's typewriter of a letter dated March 8, 1948.

The letter was from William Phillips on a letterhead which read: "Office of the Personal Representative of the President of the United States, New Delhi, India." It was addressed to the Secretary of State and it enclosed a copy of a letter of the same date to President Roosevelt. The subject was the conflicting British and Indian points of view and the possibility of Indian freedom after the war, and it suggested a solution of the then present impasse as "a step in furthering the ideals of the Atlantic Charter."

The agents also found two letters in Roth's handwriting on plain stationery. The dateline of one was "American Mission, New Delhi, January 21, 1944." This letter was addressed to the Secretary of State and was signed "Merrell." It contained a summary of political comment in the Indian press for the week ended January 18, 1944. The other letter had an identical source and addressee. It was dated March 14, 1944, and contained reports on the vote of the Central Legislative Assembly on March 13, 1944, passing a motion, 50 to 48, calling for a reduction in the budget.

They also found in Roth's handwriting, on Hotel Statler stationery, a copy of a letter bearing the dateline, "American Mission, New Delhi, February 4, 1944."

It was addressed to the Secretary of State and was signed "Merrell." It referred to a resolution passed by an informal conference of congress members of the Madras legislature and made comments on it.

They also found two sheets of plain stationery in Roth's handwriting with the dateline "Bombay, August 11, 1944, subject: Congress Socialist Reaction to Mr. Gandhi's Recent Political Moves." It was signed "George D. Lamont, American Consul."

In addition to associations and meetings previously mentioned, there were some meetings in Washington between Roth and Jaffe, between Roth and Larsen and between Roth, Jaffe and Larsen. Two of these had some significance. I want to make a change there. One of them had some significance.

Senator TYDINGS. One of them instead of two of them. Is that right?

Mr. HITCHCOCK. Yes, sir.

On March 21, 1945, Jaffe and Roth drove to a parking lot at the Library of Congress in Roth's car. They remained there about 25 minutes, talking and examining papers. They then went into the Library of Congress. After a few minutes, they came out, got back in Roth's car and drove to Roth's home in Arlington, Va.

In addition, Roth introduced both Service and Larsen to Jaffe.

The items of documentary evidence, as I have mentioned, were not of recent date, were innocuous in content, and there was no evidence as to who first secured copies from the State Department or where

Roth got them. The ones on Hotel Statler stationery indicated that Roth may have obtained them from Jaffe, rather than Jaffe from Roth. Moreover, Roth never worked at the State Department and had no access to the files of the State Department.

In addition, Roth published a book, Dilemma in Japan, in the summer of 1945 and when he was arrested, he said it was the manuscript of that book that he and Jaffe had at the Library of Congress.

If I may interpolate there, it just occurs to me now, I believe, and this is to the best of my recollection, that the agents also interviewed Service's wife very shortly after or at the time of Service's arrest, and they asked her anything she knew about Jaffe and Roth reviewing manuscripts or anything of that kind and my recollection is she said that it wasn't done, that they didn't do it.

Senator TYDINGS. That they did not do it?

Mr. HITCHCOCK. That they did not do it.

Senator TYDINGS. All right. Go ahead.

Mr. HITCHCOCK. In addition, Roth was never observed giving or receiving from any of the subjects in the case any material of any kind.

Both Larsen and Roth were at one time employed in the Office of Naval Intelligence. Larsen transferred to the State Department August 31, 1944. Not a single ONI document or copy after that date was recovered from any of the subjects. Approximately 50 ONI source items were recovered at the Amerasia offices. Larsen had more than 100 such items in his apartment when he was arrested.

Senator TYDINGS. It would appear from these dates that from the time Larsen left the ONI, the Naval Intelligence, that documents of the Naval Intelligence were not acquired or obtained by anybody associated with Jaffe?

Mr. HITCHCOCK. It would so appear.

Senator TYDINGS. The time Larsen was in ONI, or during the time he was in ONI, documents were found in Jaffe's possession during the tenure of Larsen with ONI?

Mr. HITCHCOCK. Bearing dates during the tenure.

Senator TYDINGS. That is a very significant thing. How long did Roth stay in Naval Intelligence after Larsen left?

Mr. HITCHCOCK. I don't know. He certainly was there up until June 6, 1945.

Mr. McINERNEY. They could obtain it for the day he was arrested.

Senator TYDINGS. At least he had about 10 months after that when no documents showed up.

All right. Go on.

Mr. HITCHCOCK. After Jaffe and Larsen entered their pleas, I interviewed them both in the hope of making a case with which we could go to trial against Roth.

Larsen, who manifested considerable animosity toward Roth and manifested no desire to protect him, could tell us not one thing detrimental to Roth that would assist us in prosecuting. Jaffe completely exonerated Roth. Jaffe was a close friend of Roth and may well have lied to me. However, the point is that we got nothing from either Jaffe or Larsen.

We nol-prossed the indictment as to Roth on February 15, 1946. We had to do something then because Roth's attorneys had secured

an order requiring us to supply a bill of particulars against Roth, and we were ordered to proceed to trial.

It was my opinion then and it is my opinion now that we had no case against Roth with which we could have gone to trial with the slightest likelihood of success.

On January 28, 1946, I wrote the FBI, reviewing all the evidence against Roth and stating that it was the opinion of all the attorneys who had worked on the case that the evidence was insufficient to warrant a trial and that a nolle prosequi should be entered. I asked their opinion as to the proposed disposition. On January 28, the FBI replied in substance that it had no recommendation and, entirely properly, assigning as the reason that it was entirely within the province of the Department of Justice to make such decisions.

Roth did not appear before the grand jury. The grand jury voted 13 to 7 to indict him. Twelve votes are necessary to indict.

Senator TYDINGS. Why would they indict him with no evidence that he had taken any of the papers or gotten any of the papers or found any of the papers?

Mr. HITCHCOCK. The evidence before the grand jury, sir, was exactly as I have outlined it; that Service was very close personally with Jaffe; that Service had met with some of these defendants with some degree of frequency; that there were the papers in Jaffe's office, such as they were.

Senator TYDINGS. One of them on his typewriter?

Mr. HITCHCOCK. One of them on Roth's typewriter, and the other four or five in his handwriting. Those copies were copies of papers that the FBI traced to papers that were filed and they were the property of the State Department.

I might add that Roth had made no explanation of anything, and that was what the grand jury by a vote of 13 to 7 apparently concluded was a prima facie case.

Senator TYDINGS. They felt that he was in it, and you felt perhaps he was in it too, but you could not get the amount of evidence that would convict. Is that correct?

Mr. HITCHCOCK. Yes, I think that is correct, sir, but I have been reminded that later when I talked with Jaffe, I asked Jaffe about this Hotel Statler and handwritten copies of this Roth material that was found in Roth's office, and I took a written statement from Jaffe that covered that.

Jaffe told me that he, Jaffe, had been given those papers by a Hindu or Indian by the name of Rahum in Washington, and that while Roth was with Jaffe in the Hotel Statler he wanted to make copies of those so he could return the ones that this Rahum had given him, Jaffe, who wanted them back promptly, so he took Roth to help him copy them. Anyhow, that was his explanation.

I am also reminded, and it had not occurred to me, that the FBI reports showed that Rahum was a known contact of Jaffe.

Senator TYDINGS. It showed there was authenticity to the story?

Mr. HITCHCOCK. Well, I would never believe Jaffe, Senator Tydings. What I am telling you is what he told me.

Senator TYDINGS. I thought you said the FBI had established the fact Rahum was a contact of Jaffe?

Mr. HITCHCOCK. I have just been reminded of that.

Senator TYDINGS. If that is true, that would give some authenticity through the FBI to Roth's story?

Mr. HITCHCOCK. I have never made any conclusion at all.

Senator TYDINGS. It would be a guess.

Mr. McINERNEY. May I put a sentence in here?

Senator TYDINGS. Yes.

Mr. McINERNEY. The FBI saw Rahum was contacting Jaffe, visiting him at the Statler Hotel, and was reported to be carrying secret material for Jaffe when he left the country.

Senator TYDINGS. Now let's see. They had one more than enough to indict?

Mr. HITCHCOCK. Yes.

Senator TYDINGS. Did you have occasion to take up with the FBI before the question of whether it was advisable to prosecute where prosecution did not seem advisable on any other cases?

Mr. HITCHCOCK. Yes, I have done it informally in many cases.

Senator TYDINGS. You say you have a difficult case?

Mr. HITCHCOCK. No, I have never taken it up with an office of the FBI in that way, sir, but with the special agents who have worked on a case with me, and the cases where the special agent in charge of the prosecution, or the principal agent in charge. Obviously, I would discuss it. I would say "Here is what we have, and what do you think?"

Senator TYDINGS. Would they always give you a perfectly frank answer?

Mr. HITCHCOCK. Off the record, they would.

Senator TYDINGS. Oh, they would give you an answer off the record, but for reasons of policy they would not commit themselves. All right, go ahead.

Mr. HITCHCOCK. I don't like the word "commit," they never did do that. It just wasn't their practice to do it.

Senator TYDINGS. They would say, "Our mission is to investigate and we are not concerned primarily with the prosecution directly and, therefore, we would rather not express an opinion and won't pass an opinion." That will be your decision, and what you say off the record, "Do you think we could make the case stick?"—sometimes you can get an answer from them but it is not an official answer.

Mr. HITCHCOCK. You can get helpful opinions from them. The point is one of complete understanding and cooperation. I would not want to dismiss or nolle a case from any agency that is presenting it without first laying the cards on the table, and without saying "It doesn't look like we have enough. It doesn't look like we can succeed."

Senator TYDINGS. All right. Go ahead.

Mr. HITCHCOCK. The proceeding before the grand jury disclosed that many documents were declassified for the purpose of releasing the information, although the documents on their face did not show that they had been declassified.

In many instances no record was kept as to what documents had been declassified. One Government officer testified that ad hoc declassifications were made. Many of these documents had wide circulation. By that I mean that many duplicates were made—in one instance I recall 500—and distributed to various agencies.

Senator TYDINGS. So they would still bear the mark "classified," although they had been released to the public at the same time?

Mr. HITCHCOCK. That is the time he was before the grand jury.

Senator TYDINGS. I think we all know that is so, but I don't know whether it was so in these cases, but it is the policy sometimes.

Mr. HITCHCOCK. Well, the precise testimony on that I, of course, Senator, don't recall, but the substance of it is as I have stated.

Senator TYDINGS. Well, I think you have covered it. Go ahead.

Mr. HITCHCOCK. In this connection we were unable to determine in many instances from just what agency the seized document had been taken and in some instances it was not possible to determine whether or not any copies were missing from agencies to which copies had been routed.

Testimony before the grand jury showed that classifications were not standardized. Usually the writer in a foreign country made the classification. In part, this was governed by his desire to have the matter transmitted, for example, by wire or plane, because top classification had precedence.

Apart from the records of the ONI and the State Department, where Larsen and Roth were employed, we were at a complete loss to ascribe to any of the subjects arrested the removal of records from the Office of Strategic Services, the Military Intelligence Division, or the Bureau of Economic Warfare, for example.

Except, it occurs to me to say this: My recollection is that the great majority, and by that I mean practically all of these documents that were seized, that is, not copies of documents, but the documents themselves, either showed on their face that they had been routed, that is, those which did not emanate from the State Department, had been routed to the State Department, and copies of them were perhaps copies that had been routed to the State Department.

Senator TYDINGS. All right.

Mr. HITCHCOCK. Several hundred documents were recovered in the Amerasia offices and Larsen's apartment when Jaffe and Larsen were arrested. Part of them showed clearly that they were the property of various Government agencies. Part clearly were established as being copies of documents originating in various Government agencies. Most of them were from the State Department. Some of those seized at the Amerasia offices had notations in Larsen's handwriting. Some bore his fingerprints.

I never had the slightest doubt that if we could use these documents and copies in evidence at a trial, we had a better than good case against Jaffe and Larsen.

The New York defendants, Kate Mitchell, Jaffe, and Gayn, after their arrest demanded hearings before a United States Commissioner, and by law they were entitled to them.

May I interpolate here and say also that the Washington defendants as well demanded hearings before a United States Commissioner, and may I also interpolate there and say that I do not recall the exact date I started on this case. It was at least a week after June 6, and I would say the date was either the 13, 14, or 15 of June. We started presenting it to the grand jury on June 21, 1945.

We did not want to present our evidence at that time in a public hearing because the tremendous work of tracing those documents back to their sources had by no means been completed, because of our disappointment that incriminating statements had not been made by

the defendants when they were arrested, and because we did not want to show how little or how much we had against any defendant.

To avoid preliminary hearings we decided to present what we had to a grand jury just as quickly as possible. This was done, as I recall, on June 21, 1945.

About that time the attorneys representing the various defendants communicated with us and asked for a conference. The matter was discussed by Mr. Clark, Mr. McInerney, and myself, and we mutually agreed that they should have the opportunity of conferring with us.

Mr. Clark at that time was the Assistant Attorney General in charge of the Criminal Division, the post Mr. McInerney now holds, and it was right during this time that he became Attorney General, and I believe the date was June 30, 1945.

I have never known an instance where such a request was made by reputable attorneys in or out of Government service and was denied.

The conference was arranged for June 27, 1945, and Mr. McInerney has refreshed my recollection that that was the correct date, and it is, as I recall. The attorneys representing the defendants were there. The Assistant Attorney General in charge of the Criminal Division, Mr. Clark, Mr. McInerney, Mr. Woerheide, and I were present.

The defense attorneys made the claim that their clients had done nothing more than was the general practice, in that magazines, newspapers, radio commentators, and columnists were constantly obtaining information from people in various Government agencies and that, this being so, if any agency was going to put a stop to the practice, there should be some warning short of prosecution.

In this connection they argued that their clients were being discriminated against, in fact they claimed that their clients were being persecuted because they disagreed with the State Department policy relative to the Far East, particularly China.

The claim was made that these defendants had done no more than many reputable writers were doing and had been doing in the past. They asserted that a great injustice had been done to their clients by arrest and the Nation-wide publicity attendant on the arrests. They argued that a further great injustice would be done if indictments were returned upon which convictions could not be obtained.

The defense attorneys insisted that the information in many of the seized documents already had been published in whole or in part in many publications.

They pleaded with us to look into the matter further and, in connection with their claim of the innocence of their clients, they reminded us of our obligation to protect the innocent as well as to punish the guilty.

It was my recollection night before last in Buffalo when I prepared this that the attorneys for five of the defendants were at the June 27 conference. I checked that with Mr. McInerney yesterday, and I find that my recollection was erroneous, that the attorneys at that June 27 conference were attorneys representing Jaffe, Kate Mitchell, and Gayn.

The suggestion was made that if the grand jury then considering the case voted to indict any or all of the defendants, a sealed indictment might be reported, which would mean that there would be no immediate publicity about the indictment. Attorneys representing

some defendants strenuously objected to this on the ground that even a sealed indictment would have to be opened sometime.

In addition, one of the attorneys stated that he wanted to request that the grand jury permit his client to waive immunity and testify. Such requests are invariably granted, for it gives the prosecutor an opportunity to thoroughly question a defendant under oath without defense counsel being present and therefore without objections to questions. This procedure has at times resulted in making a strong case of a weak one.

The grand jury considering the case was due to terminate its work July 2, and Mr. Clark, Mr. McInerney, and I discussed the matter in full detail and mutually, without any disagreement, arrived at the conclusion that every defendant, through his attorney, should be advised that if he so desired he would be permitted to testify before the grand jury on signing a waiver of immunity.

We further mutually agreed and without any disagreement arrived at the conclusion that we would either wait until the latter part of July, when the next grand jury would be in session, or would obtain an order extending the life of the grand jury then in session another month or 6 weeks, and that we would leave it to the grand jury as to which it preferred. This was done, and the case was withdrawn from the grand jury.

In other words, the grand jury didn't want their time extended. They wanted to complete their work.

Senator Tydings, my understanding is that the grand juries—I have been told that the grand juries sit for a period of 3 months here in the District. Whether that is so, I don't know. I never knew of it. These people had just completed serving their 3 months. It was insufferably hot here in Washington. Many of them had made arrangements for vacations, and they had been away from business and didn't want to be held over this intervening time.

Kate Mitchell's—excuse me. That is the wrong paragraph.

In connection with this conference of June 27, we obtained the assurance of the defense attorneys they would not insist on preliminary hearings and would produce their clients, if they decided to have them appear before the grand jury, for examination by us at the Department of Justice before their grand-jury appearance.

Senator TYDINGS. Hold that a moment.

Mr. HITCHCOCK. I want to hold that, too. May I say this was our primary reason for getting this case to the grand jury.

Senator TYDINGS. You mean by preliminary hearings, hearings before the commissioner?

Mr. HITCHCOCK. Before a United States commissioner. That was our primary purpose, to avoid this, to get it to the grand jury as quickly as we did, because, once the grand jury had acted, the United States commissioner lost jurisdiction and we would not have to go to a public hearing, and that problem was avoided by the attorneys agreeing that they would adjourn from time to time these preliminary hearings they demanded and give us a chance to proceed more leisurely.

Kate Mitchell's attorneys formally requested that she be permitted to go before the grand jury and agreed that she would sign a waiver of immunity. We notified every other attorney that such a request had been made by one of the defendants and that if, under the same

conditions, their clients wanted to waive immunity and testify before the grand jury, they would have the same opportunity.

In addition to Kate Mitchell's request, such a request was made in behalf of Gayn, Service, and Jaffe. As to Larsen and Roth, one of them declined and the other did not reply. Which was which I don't remember.

Jaffe's attorney later withdrew his request.

Senator TYDINGS. You mean Jaffe asked to go before the grand jury?

Mr. HITCHCOCK. Through his attorney he did.

Senator TYDINGS. And Service?

Mr. HITCHCOCK. Yes.

Senator TYDINGS. And Gayn?

Mr. HITCHCOCK. Yes.

Senator TYDINGS. And Kate Mitchell?

Mr. HITCHCOCK. Yes.

Senator TYDINGS. And Larsen or Roth, one of the two, did not reply?

Mr. HITCHCOCK. They either replied or declined.

Senator TYDINGS. Did Jaffe actually go before the grand jury and waive immunity?

Mr. HITCHCOCK. Jaffe's attorney later withdrew his request.

Senator TYDINGS. All right.

Mr. HITCHCOCK. Later in July Mr. Anderson and I interviewed, at the Department of Justice, Gayn, Kate Mitchell, and Service. They were interviewed separately and on more than one occasion, always in the presence of their counsel.

The second grand jury heard testimony for approximately 1 week. As I recall, it started on July 30 or 31 and continued until August 8.

Every bit of evidence we had, including every document seized, was submitted to that grand jury. We presented all that was presented on the one day to the first grand jury and, in addition, all that had been developed since that day.

Gayn was indicted by a vote of 18 to 7. Jaffe and Larsen were indicted by 14 to 6.

If I might interpolate, yesterday, because my memory was not up to date on this, I asked Mr. McInerney if he would ascertain what witnesses appeared before the grand jury on each occasion. In other words, I wanted to completely verify my recollection that we presented everything to the second grand jury that we presented to the first grand jury, plus; and Mr. McInerney obtained that information, and I am wholly correct on that.

Senator TYDINGS. Let us pause a moment. Did you have your FBI agents go before the grand jury?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. Have you any recollection offhand about how many went before the grand jury?

Mr. HITCHCOCK. I have the exact number, sir, because Mr. McInerney obtained that information for me.

Senator TYDINGS. I would like to have that.

Mr. HITCHCOCK. I have a carbon copy of the list, sir, as given to me by Mr. McInerney yesterday. I am positive that is correct.

Senator TYDINGS. It looks like some 35 or 40.

Mr. McINERNEY. Twenty-eight.

Senator TYDINGS. Twenty-eight agents?

Mr. McINERNEY. No, sir; 28 witnesses, counting, or including, the 8 defendants.

Senator TYDINGS. How many FBI agents?

Mr. McINERNEY. I can count them. They are all on the first page.

Senator TYDINGS. Seventeen FBI agents appeared before the grand jury in addition to a number of Government witnesses, such as those from OWI and other agencies of the Government.

Now, after all of the evidence that had been assembled in those 8 months of surveillance by this force all at one time, 17 men, did it include everything, evidence as to the actual stealing or taking and passing of the documents or any other matter directly or indirectly affecting this whole matter? Was it brought before this grand jury without anything being held back? Is that it?

Mr. HITCHCOCK. The answer is an unqualified "Yes."

Mr. MORGAN. You mean the second grand jury?

Mr. HITCHCOCK. I mean the second one and the first one insofar as we had in on the first occasion. Other things developed, as I will show in a minute, resulting in the calling of additional witnesses at the second grand jury.

Senator TYDINGS. I want to ask you a question that I intended to ask Mr. Ladd, but I will ask it of you.

Did the FBI go into the State Department and observe what went on there in reference to these persons, or did it just keep this apartment and business place under surveillance?

Could you answer that, Mr. Hitchcock?

Mr. HITCHCOCK. From recollection?

Senator TYDINGS. Off the record.

(Thereupon an off-the-record discussion ensued at the conclusion of which the proceedings were resumed as follows:)

Senator TYDINGS. On the record. Then I would assume whatever individual evidence from surveillance of the employees themselves in the State Department and other Government agencies that the FBI was likewise insofar as it was pertinent and useful appeared before the second grand jury?

Mr. HITCHCOCK. My recollection is with respect to this surveillance, which for the record I have just been reminded, was purely negative evidence and was not submitted to the grand jury.

Senator TYDINGS. There was no evidence they had taken the documents?

Mr. MORGAN. With your approval, I would like to suggest we spread this on the record.

Senator TYDINGS. Oh, yes; put it in the record at this point, Mr. Reporter.

(The list of witnesses referred to follows:)

United States v. Jaffe et al.—Grand-jury witnesses and dates of testimony

	Page of testimony
Floyd L. Jones (FBI).....	June 21
Robert A. Collier (FBI).....	2
Harold Glenn Brack (FBI).....	13
William A. Klow (FBI).....	16
Leo I. Protske (FBI).....	16
Robert William Brownell (FBI).....	20
Robert E. Boes (FBI).....	26
Richard J. Gallagher (FBI).....	27
Karl Hugo Winterrowd (FBI).....	29
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Burton R. Kirby (State).....	46
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John Lewis Ames (FBI).....	70
William D. Dunne (FBI).....	94
James C. Cadigan (FBI laboratory).....	97
Mrs. Annette Blumenthal.....	101
Suzanne Lobentzine (OWI).....	121
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Mr. HITCHCOCK. I wish to say this, Senator, so that it will be unqualifiedly clear, in case it isn't. There was no witness who appeared before the first grand jury who was not called before the second grand jury.

Senator TYDINGS. There were some before the second that were not called before the first because you didn't have them available or had not developed the case far enough to utilize them?

Mr. HITCHCOCK. That is correct, and you have the list.

Senator TYDINGS. All right. Go ahead.

Mr. HITCHCOCK. The House Judiciary Subcommittee report in 1946 stated:

The cases were ably presented before the grand jury, but the net result of months of hard work was indictment of only 3 of the 6 accused, and in no case was the Government able to muster more than 14 of the 20 votes of the grand jurors.

Between March and June 6 the investigators had made several entries, not during office hours, in the offices of Amerasia. These, of course, were without the permission and without the knowledge of Jaffe and Kate Mitchell.

I am getting, sir, to the point of the disposition of the cases as to Larsen and Jaffe.

Senator TYDINGS. All right.

Mr. HITCHCOCK. The investigators had also entered the apartment of Larsen, and during the same period surveillance of office and home telephones was maintained.

May I interpolate a matter with respect to which my recollection was refreshed yesterday? Larsen, shortly prior to his arrest, I think a matter of days, had moved from one apartment to another.

Senator TYDINGS. In the same building?

Mr. HITCHCOCK. I am advised; yes; and I want to say here to be perfectly correct that the entry into the apartment of Larsen that had been made between March and June 6 was made in the apartment from which he moved.

Senator TYDINGS. Not the new one?

Mr. HITCHCOCK. Not in the one where the records or documents were seized when he was arrested.

Senator TYDINGS. Did he use the same furniture in the second apartment that he had used in the first?

Mr. HITCHCOCK. I don't know. I assume so, sir.

Senator TYDINGS. What I am thinking about is, he probably had a place in which he kept the documents which he had in his apartment. Therefore, I would assume, when he moved, when the move took place, maybe he had a cabinet or some piece of furniture that he move there to the second apartment with the documents?

Mr. HITCHCOCK. The precise location I don't know.

Mr. McINERNEY. According to his own statement the document had been kept in the same receptacle.

Senator TYDINGS. That is what I would assume. He would have been going through the hall carrying it and the agent who was watching the place could have seen him carrying the documents in his arms, but I would assume the piece of furniture in which the documents were kept was moved. Otherwise, the FBI would have had a little stronger case against him if they had seen him carry the documents?

Mr. McINERNEY. I would say no.

Senator TYDINGS. I don't mean from the standpoint of the trial. I mean from the standpoint of the evidence.

Mr. HITCHCOCK. He was fully qualified to have documents in his home.

Senator TYDINGS. Was he?

Mr. HITCHCOCK. He had a gold badge at the State Department.

Senator TYDINGS. But anybody taking those out, even with a gold badge, don't they have to get a clearance?

Mr. HITCHCOCK. That depends.

Senator TYDINGS. Go ahead.

Mr. HITCHCOCK. Nothing is clearer under Federal law than that evidence secured as a result of illegal searches will be suppressed upon the application of those whose constitutional right to the privacy of their homes, their persons, and their effects has been violated.

Senator TYDINGS. That is under the fifth amendment?

Mr. HITCHCOCK. I think it is the fourth.

Senator TYDINGS. The fourth. I think it is the fourth. Go ahead.

Mr. HITCHCOCK. Moreover, evidence obtained as the result of leads secured in this manner will be suppressed.

That was our situation with respect to the searches made prior to June 6 in Larsen's home and the Amerasia offices.

We hoped that no defendant would learn of these activities.

This is said with no criticism whatsoever of the FBI intended. Between March and June of 1945 this Nation was at war, and it seems to me that no reasonable person could have anything but praise for

the FBI for utilizing this method to secure proof in a case where there was any basis for believing that the national security was involved.

However, the fact remains that under our Federal laws, evidence illegally obtained, even if obtained through violation of the constitutional rights of the most degraded criminal, cannot be used.

We were working every day to get the case ready for trial and it was not an easy case to prepare. As time passed, our hope increased that Larsen and Jaffe would not ascertain the source of our evidence.

On Friday, September 28, 1945, we were served with motion papers returnable in court a few days later, made in behalf of Larsen. There were several motions, the principal one of which was to suppress the use of evidence of the documents seized from Larsen on June 6.

The motions were supported by a lengthy affidavit from Larsen from which it appeared that his building superintendent had told him that he had given FBI agents access to Larsen's apartment in Larsen's absence prior to June 6.

Again I want to interpolate and say I am referring to the apartment not where he was arrested and the documents seized, but the one from which he moved several days earlier.

Senator TYDINGS. What do you call that, a motion to quash or suppress?

Mr. HITCHCOCK. The principle of the motion was to suppress. Other motions were made which were wholly subordinate to this, just to dismiss the indictment.

Mr. MORGAN. Called a motion to quash?

Senator TYDINGS. That is what we would call it in Maryland, but I hear everybody around here calling it a motion to suppress.

Mr. MORGAN. I should point out in various documents, in one instance we have a motion to suppress evidence and in another a—

Senator TYDINGS (interposing). You put them all in there?

Mr. MORGAN. Yes, sir.

Senator TYDINGS. All right. Go ahead.

Mr. HITCHCOCK. I haven't seen those papers in several years.

The affidavit further stated in substance that the agents who arrested Larsen in his apartment June 6 evidenced complete familiarity with the exact location of personal effects which they took away.

We immediately called the clerk of the district court in Washington, and were told that the papers were already filed and that reporters were examining them. We knew that within a matter of hours the newspapers would be on the street with the story. And may I interpolate, they were.

We knew that once the story broke, Jaffe's counsel would undoubtedly conclude that similar entry had been made into the Amerasia offices. We had not the slightest doubt that similar motions would be made to suppress everything seized June 6 at the Amerasia offices. When I say "we" it is not to disclaim any responsibility.

Mr. McInerney and I realized that the Amerasia case as regards successful prosecution was collapsing. We concluded that the only thing to do to save what could be saved, which was the result of at least 6 months difficult and careful work by the FBI and more than 3 months' work by attorneys in the Criminal Division, was to see if Mr. Arent would agree that Jaffe plead guilty to the indictment upon the best terms the Government could get. Mr. McInerney called Mr.

Arent and asked him to come over to the Department. For the record Mr. Arent was Washington counsel for Mr. Jaffe who likewise had New York counsel.

In the meantime, we decided that we were under no obligation to tell Mr. Arent either that the motion papers had been served and filed by Larsen's attorney, or that any searches without legal process had been made at the Amerasia offices prior to June 6.

When Arent arrived we told him we had further considered his previous offers to plead Jaffe and asked if he had anything further in mind.

May I interpolate there that Arent had been in touch with us on occasions before this to feel us out for a disposition of the Jaffe case on the best terms that he could get. I think Mr. McInerney talked with him more times than I did, and our attitude was with him that we had a case against Jaffe. We are not interested in making any other arrangements with you, and furthermore, our position was if we had to go to trial on this case which we anticipated would be a 3- or 4-month trial, because everything that was seized would have been admissible clearly as to Jaffe, whereas with Roth with our only remaining defendant, was five or six handwritings and one typewritten copy of papers, and in our opinion would have been somewhat more moderate as proving a case against Roth.

He repeated the arguments made on June 27. He further argued that Jaffe's wife was seriously ill and could get no better while this case was pending.

Let me interpolate there again. I want it clearly understood that Mr. McInerney and I were playing "a little hard to get" to see what they had to offer before we started.

After considerable discussion, he said that Jaffe would plead guilty if the Department would recommend a fine and no jail sentence.

We asked him if he had the authority to make a commitment to that effect and he assured us that he had the necessary authority. We told him that we would recommend acceptance of a plea of guilty and would recommend a substantial fine and no jail sentence.

A figure of \$5,000 has been mentioned. The actual details of discussion there was this: Arent, of course, asked what we meant by a substantial fine. We told him if the court imposed a fine of \$10,000 that that would be substantial, and Mr. McInerney and I discussed it and said \$5,000, and we also told him if the court asked for a specific recommendation, that would be the figure we would mention if the court did ask us, and I might add to get ahead that the court did not ask us.

We asked if this was a firm commitment which under no circumstances would be withdrawn. He said that it was. He also said that he insisted that our recommendation as to the fine would not be perfunctory, but made in good faith to the court, with a genuine effort on our part to have the court follow our recommendation.

We gave him that assurance, and we then asked him when he could get Jaffe down from New York City to enter the plea. He said he would do it any time we could arrange it. We asked if he could have Jaffe down the following morning for that purpose. He said he could.

Mr. McInerney then called the district court and ascertained that Judge Proctor would be available the following morning, which was a Saturday.

We concluded these arrangements in this manner because we did not want Mr. Arent to leave our office unless and until all arrangements had been completed, because we knew that once he left the office he would read in the newspapers that Larsen had filed a motion to suppress the evidence taken from him.

In other words, we did everything possible within our powers to insure that there would be no withdrawal by Mr. Arent of commitments made with respect to Jaffe.

The next morning, Jaffe appeared in court. Mr. Arent in substance implied that Mr. McInerney and I had maneuvered him into pleading Jaffe guilty whereas, had he known of the Larsen motion, he never would have done so.

May I interpolate there, Senator, when Mr. McInerney and I went to court that morning, and the occurrence I am going to relate did not occur in the presence of the judge. He (Arent) looked at us and said "You sons-of-bitches." McInerney says, "You are not going to back out on your word?" and Arent said, "No; you are not going to back out on yours either." We wanted to salvage that much out of the case, which we believed was collapsing against everybody. We did not want Arent, as he might well have been justified in doing, to say that he felt no longer obligated to his commitment, and furthermore, I wanted the judge to impose a fine on Jaffe, and I would have done it as the attorney on the other side, I believe that Jaffe would make application to withdraw his plea and claim that we had tricked him.

Senator TYDINGS. Sharp practice.

Mr. HITCHCOCK. I don't know, but what he would have had something.

Senator TYDINGS. Let me ask you right there. Even as I size up this matter, after the FBI people did a whole lot, the only evidence that you fellows had in this case was the evidence that you got at the time of the arrests when you seized these documents in the possession of these defendants. That is all you had?

Mr. HITCHCOCK. Plus two other items. This being a conspiracy case, and was certainly that and, second, plus the association between the two, plus Mrs. Blumenthal's testimony, who had typed Government documents for Jaffe.

Senator TYDINGS. I see what you mean, but you had no evidence of passing of documents. You detected nobody stealing documents. You detected nobody passing documents. You detected nobody in possession of documents. That is the very proposition. If you could say, "Here it is. I got it off the person, or saw him pass it." What you really had was what you found in the place at the time of the arrest, plus the testimony of the rest, plus incidental matters.

Mr. HITCHCOCK. I had no evidence then but the report of the seizures and these associations and the Blumenthal testimony. That is what we had.

Senator TYDINGS. The public is under the impression that somebody ought to have been caught stealing these documents. The public is under the impression that somebody ought to have been caught

carrying these documents. The public is under the impression that somebody ought to be caught passing these documents from one to the other. Now I can't see, from listening to this, where you had that kind of evidence to work on.

Mr. HITCHCOCK. There was no such evidence, I regret to say.

Senator TYDINGS. I think that answers one of the things in the public mind pretty clearly and, if the FBI supports that, then you will have narrowed the field of what you had to proceed on and the reason you proceeded as you did was on the best kind of evidence you could get.

Mr. HITCHCOCK. And the source.

Senator TYDINGS. Do you want to read the remainder of your statement now?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. Go ahead.

Mr. HITCHCOCK. We asked him if he was going to keep his word. He said that he was and that he certainly expected we were going to keep ours as regards doing everything in our power to have the sentence consist of a fine. That is what took place that day in court.

We secured adjournment of Larsen's motion. We took the position that legally we had enough evidence that had been secured from the Amerasia offices to make a case against Larsen. I mean by that, even if we gave him back everything that was taken out of his apartment, if his motion was completely successful, we still had enough to make a case. That was illegally obtained. If you will wait just a moment I will cover that.

Senator TYDINGS. All right.

Mr. HITCHCOCK. While Larsen might successfully suppress evidence taken from his own apartment on the claim that his constitutional rights had been violated, he had no standing in court to make any complaint as to the method by which the Government secured documents seized in the Amerasia offices. And Jaffe's plea of guilty was assurance that no motion would be made by him.

By that I mean that it is only the person whose constitutional right to privacy has been violated who has any standing to assert his rights successfully. Consequently, we felt there was enough in the documents seized at the Amerasia offices, some of which had Larsen's handwriting on the mand some of which bore his fingerprints, to warrant the belief that we had a fair chance to secure a guilty verdict against Larsen.

After prolonged negotiation with Larsen's attorney, we agreed to recommend that the court accept a plea of nolo contendre and to recommend a small fine.

We agreed to do this because our case was not what could be termed a strong case, but primarily because Jaffe was the principal figure in the case and he had corrupted Larsen. We felt that Larsen should not receive as much punishment as Jaffe. Moreover, Larsen had been discharged from the State Department in the meantime, was out of a job and had few prospects of getting a job.

I have never believed that Jaffe's sentence was adequate for what he did. For the record, I don't know what ever did become of Larsen.

Senator TYDINGS. Go ahead.

Mr. HITCHCOCK. I know that had we not disposed of Jaffe's case as we did, there would have been no conviction of Jaffe and, of course, no punishment, even to the extent of a fine.

That same House Judiciary report in 1946 stated:

After a most painstaking study we certify that there is no evidence, nor hint, justifying adverse criticism of either grand jury, any prosecuting attorney, FBI, judicial, or other official.

There was not the slightest connection between the Amerasia case and my association with my present firm. On the last day of 1946, Lyman M. Bass made an appointment to meet me. My family and I then resided at Dunkirk, some 45 miles from Buffalo. We have resided there since 1933, when I left New York, until September 1948, when I moved to my present address.

Senator McMAHON. Miss Mitchell was a relative of a member of the firm?

Mr. HITCHCOCK. Miss Mitchell was a niece of James McCormick Mitchell, who was senior partner in that law firm and who died late in 1948.

Senator McMAHON. He did die?

Mr. HITCHCOCK. Yes, sir.

Senator McMAHON. When you were handling this case you didn't know Mr. Mitchell?

Mr. HITCHCOCK. I had no acquaintance of any kind with Mr. Mitchell until January 2, 1947, which was a year and a half afterward.

Senator McMAHON. Why did they call for you?

Mr. HITCHCOCK. They were hard up for an attorney to help in Federal court work by reason of this wholly unprecedented load of portal-to-portal cases, and they made inquiries and ascertained I might be the man.

Senator McMAHON. Had you not known Mr. Bass for a long time?

Mr. HITCHCOCK. No; I had not.

Senator McMAHON. How long?

Mr. HITCHCOCK. Roughly 3 weeks before December 31, 1946. The circumstances under which I met him were that I had something in Federal court one morning, and I was introduced to him.

Senator McMAHON. Was that by a law partner of Bill Donovan?

Mr. HITCHCOCK. Yes, a law partner; and we chatted and he said, "I just have a motion," and Lyman Bass came in and I was introduced to him.

On December 31, 1946, when Mr. Bass called me and asked if I would have lunch with him at the Hotel Buffalo, I did have lunch with him and he asked me as we sat down, "I suppose you want to know what I want." I said, "I suppose you want to give me a job," and he said, "Yes; that is it." He wanted to know, among other things, about my work, about my salary, about my family and the usual things. It is a very conservative firm and they had made pretty extensive inquiries which I subsequently learned, and at the termination of the lunch, he said, "I want you in there, but I want to talk it over with my partners, and I am going to get in touch with you later, in a day or two." I said, "Mr. Bass, there are several things that haven't been discussed before you ought to make any commitment." I said, "I am a Democrat. I assume you know that from holding a job with a Democratic administration." I said, "Mr. Bass,

I am a Roman Catholic." He said, "That makes no difference to us." I didn't know whether it would or not and so I mentioned it.

I said, "Mr. Bass, I had charge of the prosecution of a case in which Kate Louise Mitchell was a defendant. Those are the three things I want you to know."

Senator McMAHON. Did you put them in the order you have related them, or what you thought would be your disqualifications?

Mr. HITCHCOCK. I put them in that order, Senator, with no particular thought as to what I might consider to be my disqualifications.

On January 2, that was 2 days later, the intervening day being a holiday, Mr. Bass called me at the United States attorney's office in Buffalo, and asked if I could come over. I went over at noon. There were more than 30 attorneys in the office. It takes up an entire floor in a large bank building.

Senator McMAHON. Are you still with them?

Mr. HITCHCOCK. I am. He introduced me to several of the partners. I have racked my brain and so did he, if it makes any difference, to try to remember whether he introduced me to James McCormick Mitchell that morning, and none of us can remember. If he was there that morning, I was introduced to him. If not, I met him after the 24th of that month.

I had never set foot in that office before January 2.

Senator McMAHON. That is all.

Senator TYDINGS. Do you have any questions?

Mr. MORGAN. Yes, I do. At the outset I would like to ask some questions due to the treatment this case has been accorded in the press.

At any time during the handling of this case were you under any direction or instruction to handle it other than in accordance with the manner in which your professional experience and knowledge indicated it should be handled?

Mr. HITCHCOCK. No, sir.

Mr. MORGAN. There has been, as you know, a suggestion in the press of a so-called fix in this case.

Mr. HITCHCOCK. I am well aware of that.

Mr. MORGAN. At any time during the course of your handling of the case, from the time you came into it, until the time of its ultimate disposition, was an effort made by anybody at any time to arrange a so-called fix?

Mr. HITCHCOCK. Unquestionably no.

Mr. MORGAN. Now I am a little reluctant to ask these questions, but as you know, this case has been treated by some other than the counsel in this particular case and the members of the committee, so I am going to ask these questions in order, that is, in the order in which they have been presented in the press.

The first question is this: Under whose orders and for what reason did you take the Amerasia case out from the jurisdiction of one grand jury and present it anew to a second grand jury?

I believe you have covered that question fully. Is that correct?

Mr. HITCHCOCK. I have covered it fully except I would like to add this thing because this doesn't appear, although I have already covered it fully. It was under nobody's orders. The way that happened Mr.

Clark and Mr. McInerney and I at the June 27 meeting sat there and discussed this at great length and everyone present thought the thing to do was to hold it up. They were on our neck demanding a preliminary hearing. The only question was, Will we withdraw it or get an order extending the life of the grand jury?

There were no orders. We all agreed we would find out if the first grand jury wanted to sit for another month or 6 weeks. If they did, we would get an order extending their life for that period. If not, we would withdraw it from them and present that later.

Mr. MORGAN. The second question is: Did you present to the second grand jury the same evidence, the same witnesses, and did they give the same testimony?

Mr. HITCHCOCK. We presented every witness, every bit of evidence, and the same testimony with perhaps minor and wholly insubstantial variances that would incidentally occur to the second grand jury that we presented to the first, plus additional evidence and witnesses to the second grand jury.

Mr. MORGAN. Indictments were returned against Messrs. Jaffe, Larsen, and Roth. Do you think you had enough evidence to convict?

Mr. HITCHCOCK. I thought we had enough evidence to convict Jaffe and Larsen, assuming we could use the evidence.

I did not think we had enough evidence to convict Roth, that gave me the sanguine belief we were going to convict Roth.

Mr. MORGAN. Did you or did you not in the Justice Department enter into an agreement with Mr. Jaffee's attorney to accept a plea of guilty with the understanding that Mr. Jaffee's punishment would be limited to a fine of \$2,500?

Mr. HITCHCOCK. If you will leave the \$2,500 figure out, the answer is "Yes," we did.

Mr. MORGAN. Under the terms and circumstances explained in your statement?

Mr. HITCHCOCK. Yes, sir.

Mr. MORGAN. This question is a slight characterization on that question. On this Saturday morning when you and Mr. Jaffee's attorney appeared before Judge Proctor, why did you not disclose to the court the list of Government documents that were stolen and the nature of their contents?

Mr. HITCHCOCK. That question implies some obligation on my part to do so. Mr. McInerney, Mr. Anderson, and I appeared in court. It never occurred to me to bring over a list of that batch of documents. I haven't the slightest idea what purpose it might have served. We told the court there were hundreds of documents. It didn't occur to me to furnish the court with a list.

Mr. MORGAN. Did you explain to the court there were a great many?

Mr. HITCHCOCK. Hundreds of them.

Senator TYDINGS. You told the court?

Mr. HITCHCOCK. Yes, sir.

Senator TYDINGS. Did you give the number or nature of them?

Mr. HITCHCOCK. I think the comment there was before the court, both from his counsel and from me, was what this Amerasia magazine was, and whether we described in detail the nature of the documents I don't know, but it was brought before the court, and they asked him insofar as we had any evidence we used that it was for the purpose of

background and for the purpose of getting some additional prestige and circulation for their magazine, and I might say that it occurs to me now, Senator, that that is the very way this case broke in its inception. OSS happened to bring up a copy of Amerasia and found—

Senator TYDINGS (interposing) A duplication?

Mr. HITCHCOCK. Or similarity, which led me to believe that one of these booklets was being used for that purpose, and from the nature of the document I assumed that in my mind.

Yes, I am reminded, sir, we began June 6. This case had been in the papers with considerable publicity.

Senator TYDINGS. Big headlines?

Mr. HITCHCOCK. Big headlines is one way to put it; and I doubt now, although it didn't occur to me, that the judge could have failed to know something about the case, but that was no consideration of mine at that time. It just didn't occur to me.

Mr. MORGAN. Normally when you are before the court intending to enter a plea of guilty, would you not normally present the evidence you have in the case?

Mr. HITCHCOCK. No, sir.

Mr. MORGAN. Why did you not advise the court of Mr. Jaffe's close association with the Communist leaders and Communist friends?

Mr. HITCHCOCK. There is no question but what he knew that Jaffe was very communistic, and there was no doubt in my mind about it. Reports were had from the FBI showing that to my complete satisfaction without any doubt, and particularly during the period of their surveillance after they went on the Amerasia case.

Reports showed that there were, I believe, two instances where Jaffe had met with Earl Browder, and on one of those occasions Jaffe and Earl Browder were with a man whose name I don't recall, but who was identified as a delegate of the Chinese Communists at San Francisco at the conference which was being held in June of 1945. Right at this time, anyway.

Now we discussed this over in the Department about this communistic angle, and we reached the conclusions that as lawyers there was no evidence Jaffe used these documents by delivering them to any foreign government, or any foreign agents, or any representatives of any foreign government.

We had no evidence whatsoever about it. In discussing it we reached the conclusion that at a trial if we attempted to get that into evidence that Jaffe was a Communist, we would have a mistrial declared and reversible error in any event.

We concluded likewise that it was not admissible in evidence; that it was highly prejudicial from the defendant's side of the case, and it had no place there, and we didn't present that angle of it, although I didn't even call it an angle for the grand jury.

Consequently, in court I did not mention it because there was no evidence in any of these documents which had been brought out and the only time that any mention was made of it on my part, and I say again that I am not disclaiming responsibility, but from the state of the evidence, both Mr. McInerney and Mr. Anderson, two of the finest characters I have ever met, devoted to the public service and completely honorable, were with me in my opinion that the only effect

it would have would be to affect Jaffe not on a factual matter but it might have militated against the dispositions we were preparing to recommend.

Mr. MORGAN. Was the grand jury aware in any way of the communistic connections of any of these people?

Mr. HITCHCOCK. Not to my knowledge. My recollection is very clear as to the grand jury record on that.

Mr. MORGAN. I have here a certified copy of a transcript of proceedings before Judge Proctor on Saturday morning, September 29, and I am going to read a portion of the questions propounded to you by the court and your answers thereto, because they have been treated of somewhat in the press and are somewhat pertinent here:

The COURT. Let me ask this question: Are you offering any evidence that the use to which these documents were put would be a use whereby injury or impairment would come to the Army or Navy in the conduct of the war?"

Mr. HITCHCOCK. We have no evidence of that, Your Honor, and furthermore no evidence that they were intended to.

The COURT. Was there anything in the nature of publication that had that tendency?

Mr. HITCHCOCK. There was not, Your Honor, so far as we know. There was nothing in the use of these documents that showed that tendency, nor is there anything we have in our possession that would indicate that. In fact, quite the contrary. * * *

Now, in view of the publicity given this, do you have any comment you would like to make?

Mr. HITCHCOCK. No, sir. I have stated to the court exactly what I believed. That it is exactly what I believed to be the fact that I had no evidence.

Mr. MORGAN. Did you also have a proceeding with respect to the plea of Larson before the court. I will just read your statement, because it has been referred to several times. You stated to the court:

As I said, Your Honor, in the Jaffe case, there was no disloyalty involved. No ✓ element of disloyalty involved.

Would you care to make any observation about the statement, "As I told Your Honor in the Jaffe case there was no element of disloyalty involved"?

Mr. HITCHCOCK. Though I never saw that transcript, or read anything about it at all, but recollection was, coming down on the train, night before last, when I got a copy of the Congressional Record of May 22, 1950—what I had in mind there and what I fully meant at that time was, and what I remember about it, was the statement that you read a moment ago that had taken place and that there was no evidence of the use of these documents, or the use to which they were intended to be put harmful to the armed forces of the United States. The transcript shows I used the words "no element" and I must have used that in the sense of no evidence in referring to the previous proceedings before the same judge.

Mr. MORGAN. In any event you made the statement there was no element of disloyalty as reported here?

Senator TYDINGS. Don't you want to put that in the record?

Mr. MORGAN. Suppose you make a statement for the record.

Mr. HITCHCOCK. I noticed that word "element" for the first time coming down on the train night before last. I do not wish to make any, leave an implication that that was not my word. It referred back to the proceeding before where the term "evidence" was used.

Evidence was what I had in mind in connection with that previous transcript you just read, and then in connection with that is the meaning I attach now and attached then to use that term "element" and again I say I don't want to leave an intimation that there is any reportorial mistake. The record speaks for itself and I certainly don't deny it, but the word "element" was used as meaning "evidence."

Mr. MORGAN. Did you or any superior in the Justice Department enter into any agreement leading to Mr. Larsen's plea of nolo contendere and a fine of \$500?

Mr. HITCHCOCK. Yes, sir.

Mr. MORGAN. Are you aware Mr. Jaffe paid Mr. Larsen's fine?

Mr. HITCHCOCK. I have racked my brain on that. I certainly was not aware that he did at the time. I don't know what difference it would have made in any event. I have become aware of it since. Just how, I don't know. The first time I became aware of it was at the time of the Hobbs investigation.

Mr. MORGAN. Would you tell the committee the reasons for dismissing the charges against Lieutenant Roth. I believe you have discussed that fully?

Mr. HITCHCOCK. I have no observation other than I have already covered. We decided to dismiss the case against Lieutenant Roth. We all felt that way but I do not disclaim personal responsibility, and I am referring to Anderson and Woerheide and McInerney. We felt we didn't have a case.

Mr. MORGAN. Mr. Hitchcock are you now a member of the firm of Kenefick, Bass, Letchworth, Baldy and Mitchell?

Mr. HITCHCOCK. The successor firm; yes.

Mr. MORGAN. At the time you were handling the Amerasia case did you have knowledge that one of the partners in this firm, Mr. Mitchell, was an uncle of Miss Mitchell, one of the six arrested and one of three cleared by the grand jury?

Mr. HITCHCOCK. Yes.

Mr. MORGAN. How long after you left the Department of Justice did you join that law firm?

Mr. HITCHCOCK. The next day. May I modify that, sir?

Mr. MORGAN. Certainly.

Mr. HITCHCOCK. The very purpose that I resigned from the Department of Justice was to go with that law firm. I sent in my letter of resignation to the Attorney General on January 2, the day we completed arrangements for me to enter that law firm. My letter of resignation became effective by its terms January 24. Between January 2 and 24 I had work for the Government assigned in Elmira at the term of court and I arranged to go to argue an appeal before the Second Circuit Court in New York, arguing that appeal, and cleaned up my work and left on the 24th of January and went with this law firm the next business day.

Mr. MORGAN. A great deal of reference has been made also in the press, Mr. Hitchcock to certain documents that we were told were seized by Mr. Bielaski and his associates on a raid conducted on the Amerasia headquarters in New York City and these documents and their significance has been characterized variously at different times in the press.

What knowledge did you have of these documents at the time you entered this case?

Mr. HITCHCOCK. The first time that I even heard that such documents existed was after they had custody and I didn't even question it. One was in connection with publicity given to a speech made by Representative Dondero of Michigan sometime late in 1945, early December or late November.

Mr. MORGAN. In other words, at the time you were handling this case before the grand jury and the court, you had no knowledge whatever of the documents to which Mr. Bielaski referred to and stated he seized in the Amerasia headquarters?

Mr. HITCHCOCK. None whatsoever and they were never presented to the Criminal Division as part of this file, the Amerasia file, while I was associated with the Government, or I would have seen them.

Mr. MORGAN. With such knowledge as you have now of these documents and their nature would it have affected your handling of this case in any way?

Mr. HITCHCOCK. I believe not, sir, because the knowledge I have now, and it is predicated not on first-hand knowledge, is that the OSS burglarized the Amerasia office sometime early in 1945 and removed these documents at that time, took them away with them.

Now, under those circumstances, there is not the slightest possibility that we could ever have gotten this in evidence, even if they had been given to us, and the reason I say that is this: We would have to put somebody on the stand through which they could be introduced into evidence and in putting that person on the stand, it would clearly appear when and how we got them and obviously we are in the Fourth Amendment case again.

Mr. MORGAN. I am asking the questions from your standpoint.

I would like to know the extent in your opinion, in reference to this raid on the Amerasia headquarters—I might state it this way, did the Bielaski raid on the Amerasia headquarters in any way affect the admissibility of evidence that might subsequently have been obtained by another Government agency with respect to Amerasia?

Mr. HITCHCOCK. In my opinion the answer to that is definitely yes. That is, speaking as a lawyer, I have no doubt about it.

Mr. MORGAN. Am I to infer from what you say, therefore, that the Bielaski raid had the effect, let us say, of polluting the stream?

Mr. HITCHCOCK. You are just using judicial language with which I wholly agree. That is my opinion of the effect of it.

Mr. MORGAN. There has been some reference to the delay in the handling of this case in the Department of Justice. Have you any knowledge of that, Mr. Hitchcock?

Mr. HITCHCOCK. I have no knowledge of that. On the contrary, my whole knowledge is the rush of the Department of Justice to get this to the grand jury a week after the case was sent to me and proceed with it with every degree and facility within our power.

Mr. MORGAN. And for the record, you entered the case at what date?

Mr. HITCHCOCK. It was approximately a week after June 6. The 13th, 14th or 15th of June. I am informed my grand jury authority was the 12th of June, so it was on or following the 12th of June.

Senator TYDINGS. Gentlemen, we will have to recess now until 2:30. (Whereupon, at 12:45 p. m., the subcommittee recessed until 2:30 p. m., this day.)

AFTERNOON SESSION

**TESTIMONY OF ROBERT M. HITCHCOCK AND JAMES M.
McINERNEY—Resumed**

Senator McMAHON. There is one question I want to ask. I read an article somewhere recently, Mr. Hitchcock, in one of the papers, and I always mean to clip these things out. My intentions were good, and then I forgot and I wish I had the article in front of me, but they used the word, the outright word "fix" in connection with this case. "Who put in the fix?"

Then I read another column by a columnist saying "Don't try to keep this case in the bag because it has scratched everybody that has touched it, you see, and anybody that tries to bag it is going to get scratched, too."

I do not know as there is any question that could be asked in connection with a columnist's warnings and admonitions, but on the first question I think I can ask you a correct question. Is there any question, is there anything that you know about this case, anything that was done with it that would justify the use of the word "fix?"

Mr. HITCHCOCK. No, sir, and unqualifiedly no, sir, not to any knowledge of any character that I possess or ever possessed.

Senator McMAHON. Was there any influence brought upon you or on anyone else connected with this case from any source to influence your judgment or the judgment of any of your associates?

Mr. HITCHCOCK. No, sir.

Senator McMAHON. Was there any intervention in this case by any person in the Government or out of the Government whose duties did not warrant such connection with the case?

Mr. HITCHCOCK. Certainly none with me, and to my knowledge none with anybody else.

Senator McMAHON. I want to make sure that you understand the last question. No one in the Government or out who did not have some duty in connection with this case sought to influence its handling in any way?

Mr. HITCHCOCK. That is correct, sir.

Senator McMAHON. Is there anything that you know of, any circumstance, which warrants a person in using the adjective "fix" in connection with this case?

Mr. HITCHCOCK. Nothing, sir.

The CHAIRMAN. Go ahead, Mr. Morgan.

Mr. MORGAN. I just have a few questions here, Mr. Hitchcock, that I would like to clear up for my own mind and also for the record. This material that was recently made public—

Senator McMAHON. Mr. Morgan, would you mind if I interrupt again to finish this.

Mr. McInerney, in reading the testimony in this proceeding at the time you were here—I had to read it rather hastily. If you remember, I left before you did because I had an appointment. I understand that you were asked concerning any improper influences or any so-called fix in this case, and you answered bluntly, didn't you?

Mr. McINERNEY. That is my recollection.

Senator McMAHON. Your answer in the light of Mr. Hitchcock's answer is the same.

Mr. McINERNEY. It would be exactly the same to all of the questions that you put to him.

Senator McMAHON. I see. I understand that there was an intervention in the case from the White House. If that is the right word for it—you correct me.

Mr. McINERNEY. I have recently heard of that; yes sir.

Senator McMAHON. What direction did that take?

Mr. McINERNEY. Well, I believe that—and this is hearsay—the President called Mr. Gurnea of the FBI on June 2, 1945 and stated that he had heard that there was some suggestion that the prosecution of this case be deferred until the conclusion of the UN Conference then going on at San Francisco, and that he told Mr. Gurnea that it was his desire that the case go forward without interruption, and that in the event that any agency should make such a suggestion in the future, that he wished to be apprized of it.

Senator McMAHON. Thank you.

Mr. MORGAN. While we are on that point, Mr. McInerney, can you give us any information for our record that would help us on this question about the possibility of a delay attending the UN Conference?

Mr. McINERNEY. No, sir, I have absolutely no independent recollection of it at all. However, a recent Bureau memorandum states that on May 31, 1945, that I called the Bureau, Mr. Gurnea, and that I informed Mr. Gurnea that Mr. Clark had been instructed to defer the prosecution until the conclusion of the UN conference. I have been unable to recall that conversation myself. I have absolutely no recollection of it.

I searched the file, my telephone book, and every available record at my disposal. I have talked to Justice Clark, I have talked to Mr. McGranery, who was assistant to the Attorney General at the time, and they are completely without any recollection as to the background of that instruction or where it came from.

Senator McMAHON. That was the 20th, you say?

Mr. McINERNEY. The 31st.

Senator McMAHON. But on June 2 the President's call is supposed to have been made.

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. Let me ask this question. Was there any delay by reason of the UN in the handling of this case?

Mr. McINERNEY. No, sir.

Mr. MORGAN. Now, Mr. Hitchcock, in reading the transcript of the proceedings before the so-called Hobbs Committee as it now appears in the Congressional Record, there is an indication apparently by way of a general characterization of this picture, this Amerasia picture, that someone was having access to the documents in all Government agencies, or a great many different Government agencies, and in my reading of it the thought came that perhaps there was in this case a wider net of let us say agents seeking information in various Government departments.

While my function is not here to testify, we have reviewed, Mr. Chairman, a great many of the documents in this case, not all of them but a substantial number of them, and as I recall many of them originated let us say in FCC, OWI, and OSS and ONI.

A large percentage of them in each case, however, were routed to the State Department. Now my question here is—and this is solely for clarifying the record in the light of the Hobbs record—From your knowledge of this case was there an indication that documents were being obtained from other Government departments rather than let us say the State Department and ONI where the subjects we know had contacts?

Mr. HITCHCOCK. I recall none such, sir. I would say that the answer to that question is "No," from my present recollection.

Mr. MORGAN. Well, what I am seeking to know here is essentially whether our investigation and the facts that we are trying to get here now to make available to the American public, whether there is reason to believe that there were other persons let us say involved in the Amerasia picture in these other Government departments, whether on the basis of the evidence we have it appears that let us say Larsen and perhaps others of the subjects here had available to them through the State Department or ONI sources other than the known subjects for obtaining documents of these other Government agencies, if you are in a position to answer that question.

Mr. HITCHCOCK. Will you read that back?

(The last question was read by the reporter.)

Mr. HITCHCOCK. By any evidence that I recall that was presented in this Amerasia case, I know of none such.

Mr. MORGAN. My question I see is of course not clear. What I am seeking to know here is this. Does it adequately appear, and is it adequately explained on the basis of information available to you, that the subjects in the Amerasia case would have been in a position to obtain the documents that we have in this case?

Mr. HITCHCOCK. From my recollection—and I think it is pretty good on that point—Larsen was in a position available to supply them.

Mr. MORGAN. Any of the documents in the case?

Mr. HITCHCOCK. Well, now as I said earlier this morning, my recollection is that virtually all of these documents, even those that had not originated from State, had been routed to State. Now all of those, from anything I know to the contrary, had to come from Larsen. Now if there were others that had never been to State Department, I just do not know where they could have come from.

Mr. MORGAN. One of my reasons for asking that, Mr. Hitchcock—and you may not be in a position to offer us anything on it, but I do want to ask the question—in reviewing the testimony of Larsen before the Hobbs Committee, he has made reference to an individual named Michael Lee as perhaps being in this picture, and I am wondering if perhaps in the course of your consideration of this case his name entered into it, or it appeared that he was part of the Amerasia picture at all.

Mr. HITCHCOCK. Will you give me a minute on that. I do not recall his name appearing any place. Now I have heard that name within the last few days, perhaps from the Congressional Record, and therefore that name is in my mind, but whether it is in my mind because of having heard it or if there had been any reference at any place in any of these FBI reports to a Michael Lee, I do not recall any, and my best recollection is that there was not.

Mr. MORGAN. Is it proper to say, therefore, that from your handling of the situation, you were adequately satisfied on the basis of the documents and other Government material you had available to you, that the subjects who were being considered for prosecutive action were those who had a hand in obtaining those documents?

Mr. HITCHCOCK. Yes; in this sense; that there was nobody else. Now, what I mean by that is—I am not trying to quibble. Larsen is the only person that I could ever attribute from the evidence submitted to us as having been able to do this, with the exception of Roth. That is Roth was in ONI.

Roth was obviously close to Jaffe, and therefore Roth could have done it. Perhaps he could even have done it from State. I do not know. I just do not know. I think he was a liaison man or something like that between ONI and State. Certainly Larsen could have.

Perhaps Roth could have and Service, who came back in April, the 18th or 19th, was in a position where he could have, but I am speaking of an opinion now rather than any evidence, apart from the evidence that was submitted to us.

Senator McMAHON. Well, let us have that clear in the record. What are you talking about, a guess, what you might call an educated guess?

Mr. HITCHCOCK. I would say a judgment. It is more than a guess.

Senator McMAHON. It is not based on evidence, though, or is it?

Mr. HITCHCOCK. It is based on the absence of evidence perhaps, that is no evidence submitted to me that any others were doing it. These people whom I named might possibly and could have done it. That is what I mean, Senator. I do not know how to make it any clearer.

Senator McMAHON. That is not admissible in court, you know, is it?

Mr. HITCHCOCK. Of course not.

Senator McMAHON. Well, I think that ought to be plain in the record. When you see this record printed, you have got to interpret it. You may find that new rules of evidence have been invented that Wigmore never heard of, by persons who probably never heard of Wigmore.

Mr. MORGAN. Again for the record on this line of inquiry, Mr. Hitchcock, what I am seeking to determine—and it has been suggested in the press—is whether this Amerasia situation was one where tentacles reached out to all Government departments and that access thereby was had to material in a great many Government agencies.

What I want to determine once and for all is this. Insofar as this case is concerned, did it appear on the basis of evidence available that everyone who had a hand in obtaining these documents was considered for prosecutive action?

Mr. HITCHCOCK. Was one of these six who were arrested on June 6, yes, sir.

Mr. MORGAN. In other words, there was no one else insofar as the evidence was concerned; who had a hand or might have had a hand in obtaining these documents other than one of the six?

Mr. HITCHCOCK. I do not know of anybody else.

Mr. MORGAN. Fine, that is what I wanted to determine.

Now as I recall the testimony in this proceeding, there has been an indication that this motion to quash filed on behalf of Larsen by his attorney was a conditioning consideration in the subsequent arrangements that were made with Jaffe's attorney, is that correct?

Mr. HITCHCOCK. Yes, sir.

Mr. MORGAN. Now if it was felt, Mr. Hitchcock, that there was some aspect rendering this evidence inadmissible, why was the complaint ever authorized in the first place?

Mr. HITCHCOCK. Mr. Morgan, I simply am in no position to answer that question because I did not come into the case until a week or more after that happened, and had nothing to do with it.

Mr. MORGAN. Fine.

Mr. HITCHCOCK. And anything that I answered would be speculation.

Mr. MORGAN. Can you help us, Mr. McInerney?

Mr. McINERNEY. Yes, sir. I might go back a little bit and state that the FBI during the war had two functions. One was to investigate crimes for the purpose of prosecution. The second was designation by the President to have charge and supervision over all internal security matters in the United States since 1939.

Now in connection with the former, the Bureau exercised certain functions in connection with its counterespionage activities of which we were aware, such as technical surveillances or wire taps, each of which was authorized by the Attorney General and which we knew about, and each case which had those two things in common presented somewhat of a problem to us in the criminal arrangement.

We were in a position of wanting to continue these counterespionage methods, we were wholly in favor of them, but when the case came to us for prosecution, we were in the position of having our cake and eating it too because there was a field of conflicts. What was suitable for counterespionage purposes might not be suitable for prosecution purposes.

Now when this case came to us, and when it came to the FBI, in my opinion it was fatally vulnerable. Nothing the FBI did made it any worse.

Mr. MORGAN. Why do you say that? You mean the Bielski situation?

Mr. McINERNEY. Yes, I think that was fatal to the case once it became public property.

Senator McMAHON. Why?

Mr. McINERNEY. Why? Under the fourth amendment. It was an illegal action, plilled, and since the FBI derived its case from that source, its investigation and its leads were tainted, not by what it did but by the inception and conception of this case before it reached them.

Senator McMAHON. There is some case in the back of my head, an opinion which I think was written by Brandeis or Holmes, which talks about drinking from a poisoned well. It is back about 20 years, and that case is Silverthorne versus the United States, right?

Mr. McINERNEY. Yes, sir.

Mr. HITCHCOCK. Silverthorne Lumber Co.

Senator McMAHON. And that is back about 1928 or '30.

Mr. McINERNEY. 1920.

Senator McMAHON. Back as far as that. Do you remember who wrote the case?

Mr. McINERNEY. Holmes.

Senator McMAHON. I thought it was Holmes. I am going to send to the law book library for that.

Mr. McINERNEY. I have it here.

Senator McMAHON. Let me see it. Go ahead.

Mr. McINERNEY. When the case came to me on May the 29th, I was aware of course of its inception and the nature of the manner in which it started, and as we had done in other cases during the wartime, we authorized prosecution even though we knew that the evidence was tainted, and we authorized prosecution because the Bureau had been very successful in obtaining confessions and admissions which obviated the necessity of having to tender this evidence or offer it in court, and those were the two conclusions I came to on May the 29th, or three conclusions.

One, that the case was vulnerable because of its inception on the part of OSS; two, that in evaluating the legal evidence, which largely consisted of physical surveillances only, that we did not then have sufficient evidence to authorize prosecution.

The third conclusion was that since the Bureau has obtained confessions and admissions in over 80 percent of its cases, that with the usual break in the prosecution here, we would get incriminating admissions and confessions which would obviate a trial, and obviate the need for presenting or tendering this evidence. Now the Bureau suggested in its original memorandum that four subjects be apprehended. I authorized on six.

Mr. MORGAN. Who were the four and who were the other two?

Mr. McINERNEY. The three Government employees, Service, Roth, Larsen, and Jaffe, and authorized on Mitchell and Gayn, and if you ask me why in the light of the other decisions, why I authorized prosecution, I would have to say that I was guilty of overzealousness in prosecution.

Mr. MORGAN. I take it then that nowhere in the course of this case were there ever any statements, any confessions, obtained from the subjects; is that correct?

Mr. McINERNEY. No, sir. Larsen made a number of admissions. I would characterize his statement as a confession.

Mr. MORGAN. Now there is one step here, Mr. McInerney, that is not quite clear to me. I can see, let us say, why Larsen's motion to quash might have been a conditioning consideration. I would, however, like your observations concerning how Larsen's motion to quash in any way affected the documents, the material obtained in New York in the Amerasia headquarters.

Mr. McINERNEY. Yes, sir. When we first heard that Larsen was filing or contemplating filing a motion to quash, we discussed it with the Bureau representatives and the motion did not worry us too much, and it did not worry me at all from the standpoint of Larsen.

First of all the documents found on his premises had not too much significance since he has a gold badge and was entitled to have documents on his premises, so from an evidentiary standpoint they were not too important, but more than that, with the presence of the documents in Jaffe's office in New York, with his fingerprints, Larsen's

fingerprints and handwriting and initials on them, we could have afforded to give back to Larsen all of the documents so seized, subject to a quarrel about whether they were Government property and he was not entitled to their return, so Larsen's motion per se as it affected Larsen did not worry us too much.

The only thing that worried us was that if the fountainhead of the evidence, Jaffe's office in New York, should become inaccessible to us by reason of a motion to quash on Jaffe's part, the whole case would have been destroyed, so that is why we were most anxious to preserve the documents in Jaffe's office, and why we were most anxious that Jaffe should not hear of this application to the court.

He was represented by an attorney who had been in the Criminal Division for several years and who was acquainted with the Bureau techniques, and it would not be much of a mental conclusion for him to come to, in reading of a motion to quash by Larsen, to assume that a similar practice had been engaged with respect to his client, Jaffe. I do not know whether I am responding.

Mr. MORAN. Yes; you are.

Mr. MORRIS. May I ask a few questions on that point? In order for that to be so, you would have to be able to trace every one of the documents seized in Jaffe's Amerasia office back to Larsen; would you not?

Mr. McINERNEY. Not every one of them, sir.

Mr. MORRIS. Well, just as long as Jaffe had one unauthorized document in his possession, it would withstand a motion to quash; would it not?

Mr. McINERNEY. On whose part?

Mr. MORRIS. On the part of Larsen.

Mr. McINERNEY. I am sorry, sir; I do not follow you.

Mr. MORRIS. Suppose that Larsen's attorney should come forward with his motion to quash, and all the evidence procured as a result of the preliminary invasion, so-called preliminary invasion of Larsen's rights, had been recovered; well, then, there still would be some documents in the Amerasia office that would not have been tainted by association with Larsen. Isn't that so?

Mr. McINERNEY. Well, none of the documents were tainted by association with Larsen.

Mr. MORRIS. I thought you were making that point in reply to Mr. Morgan's question.

Mr. McINERNEY. No, sir.

Mr. MORRIS. Well, why were the documents found in the Amerasia office tainted?

Mr. McINERNEY. They would be tainted because entry had also been made to Jaffe's office.

Mr. MORRIS. By whom?

Mr. McINERNEY. By both the OSS and the FBI.

Mr. MORRIS. But Jaffe's lawyer could not have known that.

Mr. McINERNEY. If he read the newspaper that Friday night, September 28th, he would have come to that conclusion.

Mr. MORRIS. Why? Did the newspaper report that OSS had been in the office?

Mr. McINERNEY. No, sir, but Walter Winchell had.

Mr. MORRIS. How did he know that?

Mr. McINERNEY. I don't know, sir.

Mr. MORRIS. I mean, as Mr. Bielaski testified, they were very secret about it. They reported directly to the Secretary of State and then to the Justice Department; so that was not common knowledge.

Mr. McINERNEY. Walter Winchell broadcast that the case was to be quashed by reason of illegal searches by an agency other than the FBI.

Senator McMAHON. When did he do that, on Sunday night?

Mr. McINERNEY. Yes, sir; several weeks after it.

Mr. MORRIS. In other words, you just assumed that if you did go ahead with the case, why, a motion to quash would have been successful, even though you made no answering affidavits to such a motion?

Mr. McINERNEY. As to Larsen?

Mr. MORRIS. As to Larsen or Jaffe.

Mr. McINERNEY. Well, I believe so; yes, sir.

Mr. MORRIS. You were just convinced that the motion to quash would have been successful; so, you abandoned the whole project with respect to every single document?

Mr. McINERNEY. I am not sure I understand you, Mr. Morris.

Mr. MORRIS. You came to the conclusion that a motion to quash brought either by Jaffe's attorney or by Larsen's attorney would be successful?

Mr. McINERNEY. Yes, sir.

Mr. MORRIS. You were satisfied. You had that definite conclusion; and you made no attempt to go ahead with the case?

Mr. McINERNEY. And we made no attempt to what?

Mr. MORRIS. To proceed with the prosecution of the case.

Mr. McINERNEY. We certainly did. We brought them down to the office on a telephone call and asked them to plead.

Mr. MORRIS. Well, do you think that there is any proportionate punishment in imposing a \$2,000 fine on a wealthy man like Jaffe in consideration of the enormity of crime that had been committed?

Mr. McINERNEY. No, sir; I do not believe that the punishment was adequate, but I am sincerely convinced that it was the best bargain we could make within that 24-hour crisis that we faced on September 28.

Mr. MORRIS. Now, how about the thing such as Annette Blumenthal's admissions? How about the results of the FBI surveillances which I understand showed that people would go in to visit Larsen with suitcases and come out without a suitcase?

Mr. McINERNEY. That latter fact would have none. It is just as consistent with innocence as with guilt.

Mr. MORRIS. Now, one other thing that impressed me—

Mr. McINERNEY. Could I say this. You mentioned Mrs. Blumenthal. Mrs. Blumenthal's testimony was tainted. Everything in the entire case was tainted on March 11, 1945. They developed Mrs. Blumenthal after having gotten the case from OSS.

Mr. MORRIS. Well, one other consideration now, Mr. McInerney. I see nowhere in reading the transcript of the proceedings before Judge Proctor that Mr. Hitchcock presented the seriousness and the importance of the documents that had been involved in this case. Now, I just went through a few of them the other day, some of them.

There was one document classified "Top secret for eyes only." As far as I know, that is the highest classification we have. One was found in Jaffe's office. There were many reports in his office.

There was the composition and make-up of the Chinese Army, their invasion routes against the Communists; there were American battle reports on Japanese airfields. There was a confidential forecast of the Pacific War by Secretary Grew, which indicated the location of American submarines, 25 of them, composition of Allied forces in Manila, and there was even an operations plan for the naval intelligence for their entire counterintelligence organization in the United States, all of which things are very serious.

Now, nowhere I am sure did the judge realize the gravity of the case. In addition, there were these following political reports which I think are tremendously significant; all intimate secrets of the high Chinese authorities, including the Generalissimo. There were copious references to disaffections. There were hundreds of reports from Service and some from Davis, which showed that both of them, and apparently with the approval of the American Ambassador Gauss, would show they were doing everything they could to undermine the Chinese Government and absorb the Chinese.

In fact, there was one dispatch which I thought was very important, and that was a secret dispatch that went out under Hull's name, which presented the July 1944 Amerasia article on postwar Japan and arming of the Japanese Communists, presenting it as if it was the policy of the State Department.

Now, I just had a chance to go through about two or three hundred of these things, but the importance of it was absolutely amazing as far as I am concerned, and yet I cannot possibly understand why the enormity of such things were not presented to the judge on the occasion of that day.

Mr. McINERNEY. Well, without agreeing or disagreeing with your characterization of the documents, we were faced with a problem, once we had made our decision with Jaffe's lawyer, responsibility as Government counsel and as lawyers, that we could not make an agreement with him to recommend a fine and then, with our tongues in our cheeks, describe him as a 24-carat thief and spy and everything else, even assuming he was such.

Now, this case was in the headlines for 2 months prior to the sentence. The judge was not living in a vacuum. I do not believe it is a fair statement to say that the court was uninformed of this fact.

Mr. MORRIS. I did not say that. There was no evidence in the transcript that it realized the nature of this case at all.

Mr. McINERNEY. Well, the significance of the case had been enlarged upon in the press for 2 or 3 months, and I do not know whether that was a factor. It was not a factor in the presentation to the court, but the thing as far as we were concerned was pretty cut-and-dried by reason of our commitment, and by the necessities of our commitment.

Mr. MORRIS. I understand what you mean when you say you made the decision and you were going through with it. Ordinarily, you leave the raising of a defense to the defendants.

It seems to me that you assumed that if they did raise the defense it would be successful, and you abandoned the whole thing even though the evidence showed matters of great gravity were concerned.

Mr. McINERNEY. Well, I would like to say that I did not consider the documents of great gravity.

Mr. MORRIS. I could obtain them, Mr. McInerney.

Mr. McINERNEY. Yes, sir. The nature of the documents is a question of fact, and the classification and their importance so, I do not think any point would be served by discussing it or characterizing them.

Senator McMAHON. Let me ask you this. If you had gone forward in view of the motion to quash having been filed and tried it out, I presume that there would be displayed in public view, with the war still in operation, the fact that technical surveillance was being had—is that not true—and you would have displayed this entry of Mr. Bielaski into the offices without a search warrant. I suppose all of that would have come out in the trial.

Mr. McINERNEY. Assuming the knowledge of Larsen? That he knew that his premises had been entered?

Senator McMAHON. Yes.

Mr. McINERNEY. And that the defendants knew their premises had been entered by OSS?

Senator McMAHON. Yes. They filed a motion to suppress; that is my point. They filed it on the basis of something.

Mr. McINERNEY. Actual knowledge.

Senator McMAHON. Yes. Well, now, that would have come out. What I am trying to arrive at, Mr. McInerney, is policy consideration as to whether one existed or not as to desire of the Department not to advertise the fact that technical surveillance was being exercised.

The reason I ask that question is because I have a recollection of a very sad affair down there in the district court, the Coplon case, which I think hurt our internal security a great deal.

Mr. McINERNEY. Well, on that I can only say that, as far as I personally am concerned, it does not help the internal security of a country to have such things advertised. I am speaking personally.

Senator McMAHON. For yourself?

Mr. McINERNEY. Yes, sir.

Mr. MORRIS. Do you think, Mr. McInerney, it is better to leave a man such as Service right on the job? Is that better for the security of the country?

Senator McMAHON. What was that question?

Mr. MORRIS. Is it better to leave a man such as Service, one of the six defendants, on his job in the State Department? It seems to me that would violate security of the country, the welfare of the country, more than exposing him.

Senator McMAHON. We are not ready to judge Mr. Service yet. We have not reached that point yet. You may have made a judgment, but we have not made any judgment on Service yet.

There is a lot of evidence. We have got to hear from Mr. Service. You may have reached a conclusion, and of course that is your privilege, but I cannot indulge myself in the luxury of having that kind of opinion at this time.

I want to ask you a further question. Assistant counsel has asked you whether or not these steps should be taken in view of the fact that the defendants might not have known of the violation of the fourth amendment to the Constitution. I had what I think is a somewhat honorable and long career in the service of the Department of

Justice, and I have never conceived it to be the policy of the Department in any of its branches to violate the Constitution of the United States and to take advantage of its violation and wait only for somebody to catch them in depriving its citizens of their constitutional rights. Do you follow me?

Mr. McINERNEY. I certainly do.

Senator McMAHON. That is a unique view of the duties of the Department of Justice, and a splendid exemplification of the doctrine that the end justifies the means, which, knowing something of your background, and of Mr. Hitchcock's, too, is not part of your philosophy, I hope. At least, by God, it is not part of mine. Do you follow me, Mr. Morris?

Mr. MORRIS. Yes; I do, Senator. May I ask one more question?

Senator McMAHON. I hope that you join me in the expression of those sentiments.

Mr. MORRIS. I concur in that, yes; I do indeed.

Senator McMAHON. Thank you.

Mr. MORRIS. At the same time, in connection with Mr. Bielaski's entry into the Amerasia office, is it flatly concluded, as you indicate, that that was an illegal entry? I mean, after all, he went in with the concurrence of the building superintendent. He went into recover a document that had been taken away from his office.

Now, I just wonder if a case could not be made to establish the legality of such an entrance. He is going in there to recover a document that had been taken from his office.

Mr. McINERNEY. I know of no such authority, sir, that would justify that.

Mr. MORRIS. Is it a foregone conclusion, Senator, that that is an illegal entry?

Senator McMAHON. Pardon me?

Mr. MORRIS. Senator, is it a foregone conclusion that Mr. Bielaski's entrance into the Amerasia office with the concurrence of the superintendent of the building, is it a flat conclusion, that that is illegal?

Senator McMAHON. Well, Mr. Morris, if the President had offered to put me on the Supreme Court, I think I would deliberate on the offer, but I am not there yet, and I do not purport to give you a flat answer, if it is a matter of last resort, but in my reading of cases—I should not say "reading" because it has been a long time since I have had time to read them, but in my memory of cases—there is no such exception to the fourth amendment.

Mr. McINERNEY. I know of no case, Mr. Morris.

Senator McMAHON. I would suggest that that would be a very valuable exercise for you to research the cases, and I would be pleased with the opinion on that. If you do not mind, will you get for me an opinion on that specific question with the citation of authority?

Mr. MORRIS. That is right, Senator, and I think, bringing down the doctrine expressed here in connection with the Silverthorne case, bringing that legal precept right down to date, would also be of interest.

Senator McMAHON. What is the other case, the Nardone case?

Mr. MORRIS. But my point is I should think these would be arguments you would leave to the defense counsel to bring up.

Mr. McINERNEY. Yes, sir. That is what we did, and they did bring them up.

Mr. MORRIS. Larsen's lawyer was about to bring it up?

Mr. McINERNEY. He actually filed it. Mr. Morris, I do not mean to be critical in any sense of the OSS. I know they were doing their duty, and what they did satisfied their requirements, and I would have done the same probably, so I do not mean to be critical of the OSS even, and I endorse what they did, but they hobbled us a bit.

Senator McMAHON. Mr. Bielaski suggested in a television interview that there was a special dispensation in time of war from the operation of the fourth amendment. Are you familiar with that interview?

Mr. McINERNEY. No, sir.

Senator McMAHON. Well, he stated he thought he got absolution from the operation of the fourth amendment because the war was on. Of course, between two lawyers, it is a silly question, but nevertheless for the record I will put it to you. Is any part of the Constitution repealed by declaration of war?

Mr. McINERNEY. No part, or cannot be repealed under any circumstances, with the possible exception of a writ of habeas corpus.

Senator McMAHON. Well, a specific provision for the suspension of the writ of habeas corpus in the Constitution itself does not even appear I believe in the Bill of Rights. I think that that cannot be hammered home too much.

The regular merits of this case is the conception that some people have of "What is the Constitution between friends? A declaration of words only."

Well, it is one of the things that we are proudest of, that we managed to fight this war without invading the Constitution or sacrificing it. I do not say it was not sacrificed from time to time, but at least it was not sanctioned by those in authority.

Mr. MORRIS. I have one more question.

Mr. MORGAN. I have some more, but go ahead.

Mr. MORRIS. Go ahead. I just wanted to interrupt on that one point.

Mr. McINERNEY. You asked me one question.

Mr. MORGAN. The question I think which precipitated this discussion was my question as to why the complaint was authorized, if it was known that the evidence that would be acquired might be illegal, and as I understand it from the discussion that we have had here, the answer to that question is that you authorized the complaint in spite of that knowledge, is that correct?

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. Now some observations of course have been made concerning the nature of these documents, and I have read them, Mr. Morris has read some of them, other members of the staff have read them.

I am frank to say I doubt if any two people under any given set of circumstances could have any unanimity of opinion concerning the characterization of them, but above and beyond that, I would like to ask this question to you, Mr. McInerney, and to you, Mr. Hitchcock.

Irrespective of the character of these documents, if I understand your statements here today, that no matter what their character might have been, your action would have had to be precisely the same, is that correct?

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. In other words, had you found in Mr. Jaffe's office in New York, or in Mr. Larsen's apartment here, a document that by all standards would be one relating to the national defense, your statement is that your action would not have been different under the circumstances, is that correct?

Mr. McINERNEY. Yes, sir, with this qualification. If you are speaking of one document out of some 600 that were found, it would be the same, because if a man steals documents and he steals a number of them with the aid of others, and the majority of them are national defense in content, that to my mind is a conspiracy to steal national-defense documents.

However, if you have men stealing documents in which less than 10 percent are of national-defense content, then I say the conspiracy is to steal Government documents, and not a conspiracy to steal documents relating to the national defense.

Mr. MORGAN. Was that fact a conditioning consideration in the determination to change the offense from espionage to theft of Government documents?

Mr. McINERNEY. That was one of the two considerations. One, that we did not want to put the character of these documents in issue at the trial, and the second consideration was that if we had, it would not have increased the maximum penalty under the conspiracy statute.

Whether they related to national defense or whether they related to just Government matters, the maximum penalty would be 2 years, and so we just got rid of one very troublesome element in the case without sacrificing the maximum penalty.

Mr. MORGAN. In other words, being a conspiracy charge, it would have been 2 years in any event, is that correct?

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. Back to the question I had in mind, the nature of the documents manifestly may have an intelligence significance, an academic significance to us today, but as I understand it the attorneys in the Department of Justice were confronted here with a legal problem, is that right, a problem of law essentially detached from the nature of the documents?

Mr. McINERNEY. Yes, sir.

Mr. MORGAN. I want to get this very clear because it will be helpful in the full consideration of this case. Did the nature of these documents in any way condition the decision which you and Mr. Hitchcock made in this case?

Mr. McINERNEY. No, sir.

Mr. HITCHCOCK. May I say "no, sir," to that, too, sir?

Mr. MORGAN. Now I have just one or two final questions, Mr. Hitchcock. That is this. We have had manifestly a great deal of time in which to reflect on this case, and I want to ask you if you had it to do over today, would you handle it any differently from what you did?

Mr. HITCHCOCK. There is not a thing under the conditions that existed as this case developed, and with which we were met, that I would have done any differently in the light of the knowledge of 5 years later under my obligations and abilities as a lawyer, and my professional standards as an attorney.

Mr. MORGAN. One further question to implement the record. I meant to ask it when we were going over it.

I think you referred to perhaps another special assignment that you had with the Department of Justice since you have become associated with the firm in Buffalo, is that correct?

Mr. HITCHCOCK. Yes.

Mr. MORGAN. And what was the nature of that assignment?

Mr. HITCHCOCK. In September of 1948, which was about a year and 9 months or a year and 8 months after I left the Department, the Attorney General called me, and subsequently through my firm this was done; asked if I could be borrowed from my firm for a special mission for him.

The mission was to take a trip to New York City and to the west coast to ascertain whether in my judgment witnesses, or prospective witnesses, who had been named would stand up in court with a reasonable likelihood of being persuasive to a jury, to establish that Harry Bridges had once been a Communist. He told me that he had reports which narrated statements made by these people.

He said, "You know and I know that sometimes you read in these reports that they say so-and-so, but when you get them on the stand, or before you get them on the stand sometimes, it is hearsay, sometimes it is conclusions, and it is not evidentiary."

He said, "It is an important matter. We have been beaten on it twice when we tried to get him."

What he had in mind was the denaturalization case against Harry Bridges. I had handled a number of those while I was with the Department. My firm stated that it was the only time an Attorney General of the United States had made such a request to borrow a member, and to go ahead.

I took a trip to New York, San Francisco, North Bend, Oreg., Seattle, Wash., came back and reported to the Attorney General some time in October.

My report is still there, I assume, that in my judgment Harry Bridges was a Communist, was a menace to the United States, and that there was, in witnesses whom I named and whom I talked to, reasonable grounds for me to believe there was sufficient evidence to proceed to prove that fact.

Subsequently both the Attorney General and Mr. Peyton Ford, the Assistant Attorney General, called me in Buffalo and asked me if I would go to the west coast and try the Bridges' indictment, and I was unable to do so because I did not have time that I could utilize for that purpose.

Mr. MORGAN. Well, I personally would like to make an observation that manifestly, Mr. Hitchcock, you have heard all of these rumbles in the press implying various things where you are concerned. I have not heard any statement of yours in reply thereto, and I must say I admire your self-restraint, and I personally appreciate the opportunity to hear your story.

Mr. HITCHCOCK. Mr. Morgan, nothing in my life has hurt me more than this case, largely from the Scripps-Howard newspapers and Mr. Sokolsky. I kept my mouth shut.

Mr. MORGAN. I have no other questions.

Mr. HITCHCOCK. It hurt my family more than it hurt me.

Senator McMAHON. Mr. McInerney, between 1939 and 1940, and the end of the war, were there any recommendations that you knew of

to the Congress of the United States relative to improving or to strengthening the hand of the Department, the Federal Bureau of Investigation, in espionage cases?

Mr. McINERNEY. Yes, sir.

Senator McMAHON. What were they?

Mr. McINERNEY. I believe that between 1939 and 1945 we either proposed or supported some seven bills authorizing the investigative agencies to have access to wire tapping in respect to espionage and internal security cases.

I think the Attorney General has testified once or more. I think Mr. Hoover has testified on several occasions in support of such legislation, but it was never enacted.

Senator McMAHON. My memory is in 1942—I was not a Member of the Congress but in 1942—a proposal went to a vote. I did not know whether it ever got to a vote in the Senate, but I know it was voted on in the House. My guess is it was defeated in the House. Am I right about that?

Mr. NICHOLS. There was one bill passed both the House and the Senate, but there was a difference and the bill never got to conference.

Senator McMAHON. Was it about then, Mr. Nichols, that you remember?

Mr. NICHOLS. Yes.

Senator McMAHON. The reason I remember it is a little peculiar. A gentleman with whom I was very friendly, and still am, was a Member of the House at that time. He is no longer a Member. He ceased to be a Member in that Congress, and I remember him discussing the bill with me, so it must have been somewhere along that time.

Mr. McINERNEY. I know while this case was pending in March of 1945 there was a bill introduced looking to the protection of Government information, particularly such information as had been translated into code or cryptography, and that bill, after passing the Senate, was recommitted.

Senator McMAHON. Well, it did not get anywhere.

Mr. McINERNEY. No, it was recommitted on the motion of a Senator who was critical of this case.

Senator McMAHON. Mr. McInerney, one final question as far as I am concerned. In view of the uproar that this case has occasioned, if you had been able to act on all this hindsight, it would have probably been better to go through and try the motion to suppress, would it not? Are you sure you would have been beaten? It is a silly kind of a question.

Mr. McINERNEY. No, it is not. We would not even have to fight this motion to suppress by Larsen. We would have said to Larsen, "Take all of your documents back. We are going to try you on what we have up in the Amerasia office. You cannot complain about what we have in the Amerasia office," and we put ourselves in that position by getting the plea from Jaffo and Larsen's counsel said to us, "I am not going to discuss a plea in this case until I take this motion into court and litigate."

We told him on each occasion, "You are not going to litigate it because we are going to consent to your motion. We are going to give you back and agree not to use any of the documents we seized from you."

Senator McMAHON. But he was not satisfied with that?

Mr. McINERNEY. Well, that factor was operating on him, and another factor was operating on him.

(Discussion off the record.)

Mr. MORRIS. May I ask a question, Senator?

Senator McMAHON. Yes.

Mr. MORRIS. Mr. McInerney, were the documents seized by the Federal Bureau of Investigation in the Amerasia office the same as those documents which were looked at by Mr. Bielaski 7 months previously when he entered the Amerasia office?

Mr. McINERNEY. No, sir.

Mr. MORRIS. They were different documents?

Mr. McINERNEY. Yes, sir. We never saw Mr. Bielaski's documents until recently.

Mr. MORRIS. Well, now if you contend that the documents seized by the FBI men in the Amerasia office were polluted by virtue of Mr. Bielaski's prior entry, it would seem to me that at any time in the future Mr. Jasse could never be apprehended by the Federal authorities for stealing Federal documents.

Is not the law of the case that polluted documents are certain documents, and certain documents are polluted by—

Mr. McINERNEY. No, sir, I am not suggesting that certain documents were polluted. I am suggesting that the case was polluted.

Mr. MORRIS. In its entirety?

Mr. McINERNEY. Yes, sir, and in answer to your question as to whether future prosecution of any kind was thereby rendered impossible, I do not think it was.

That is if we wanted to bring the matter to a hearing at which we would attempt to establish that certain pieces and scraps of evidence were obtained from sources not polluted, that we might succeed theoretically, but since this case was handed physically to the FBI by a polluted hand, everything they did thereafter in the case, if they had it separately under investigation at the time—

Mr. MORRIS. Even though it was an entirely different Government agency?

Mr. McINERNEY. If the FBI had it under investigation separately, and then got it from OSS, I think that we might have had a pretrial hearing and we would try to strain out the illegal leads from the leads which the FBI had developed legally, and see whether we had enough, but it was so completely tainted by the way in which it was handed to the FBI that we did not have that opportunity.

Senator McMAHON. I am not making any final judgment on that. I want to study that, and I hope to have that developed in this memorandum, but we must not forget that the OSS and the FBI—there is a very, very great difference in their caliber but they are both paid by the United States Government. They were at that time both agencies of Government.

Mr. MORRIS. May I ask you a question, Mr. Hitchcock?

Mr. HITCHCOCK. Yes, sir.

Mr. MORRIS. You stated that you did not introduce the fact to the judge that Jasse had Communist associations?

Mr. HITCHCOCK. Yes, sir.

Mr. MORRIS. Because you thought that that would prejudice your case. Is that your testimony?

Mr. HITCHCOCK. No; I did not say that.

Mr. MORRIS. That he could claim prejudice?

Mr. HITCHCOCK. I did not say that.

Mr. MORRIS. What was your testimony?

Mr. HITCHCOCK. My testimony was that we considered very carefully whether the fact that Jaffe was a Communist—or as I think I expressed it—so closely identified with the Communists that there was not any distinction, that we could not use that in evidence on the trial of the case, because once we started, we either would have a mistrial or we would have a reversal.

Mr. MORRIS. Why would you have a mistrial?

Mr. HITCHCOCK. Because it is matter wholly prejudicial as regards admissibility in evidence on the charges laid in the indictment, just as it would have been to a Ku Klux Klan or anything else that you might name.

Mr. MORRIS. Well, don't you think that membership in an association that is allied with a foreign government, particularly if you can show, as was the case here, that not only did Jaffe shortly thereafter visit Browder but also the Soviet Embassy and the Chinese Communist delegation as well—

Mr. HITCHCOCK. Would it have been admissible in evidence?

Mr. MORRIS. Would not that have been admissible?

Mr. HITCHCOCK. It certainly would not have been admissible.

Mr. MORRIS. Why not?

Mr. HITCHCOCK. Because it is entirely irrelevant plus the fact that it is highly prejudicial.

Mr. MORRIS. It would be admissible to show the intent of his taking the documents.

Mr. HITCHCOCK. It would have been admissible for one purpose, to show that he was a no-good "louse," which I do not believe anybody will deny, but it would not have been any more admissible than to try to put in evidence that Jaffe had a past criminal record, if that had been a fact.

Mr. MORRIS. There again you reach an impasse on a legal conclusion.

Mr. HITCHCOCK. Well, I am giving you as a lawyer my conclusion on that point, and we discussed it pretty thoroughly.

Mr. McINERNEY. Mr. Morris, could I make a comment on that?

Mr. MORRIS. Yes, indeed.

Mr. McINERNEY. I think against the background at the time, the situation was far different than now.

On the day this case came to the Department of Justice on May 29, the Secretary of State, Stettinius, was making a speech before the UN in which he was saying that despite the defeat of Germany, Russia and the United States must continue as allies, and they must continue their teamwork.

We had just concluded giving Russia \$11,000,000,000 in lend-lease materials, and all sorts of technical know-how and classified information. Before the indictment was returned, the President was at Potsdam with Stalin.

Mr. MORRIS. But, Mr. McInerney, you testified a while ago that the imminence of the United Nations conference and international events at the time did not move you in your decision.

Mr. McINERNEY. No, sir.

Mr. MORRIS. You testified previously that the imminence of the United Nations conference and the international situation did not influence you in your decision at the time.

Mr. McINERNEY. Yes, sir. I am making this observation with respect to the relevancy of calling the court's attention to the Communist angle.

The Communists had been our gallant allies, in quotes, at that time, and at the time of this plea on September 29 we were starting our first four-power meeting of foreign ministers with them to continue our alliance with them, so they were not the people that we regard them to be today, so it was of much less significance then that Jaffe was a Communist.

We were admitting Communists to the United States Army and the Navy, and apparently to our intelligence services.

Mr. MORRIS. Well, you had a conspiracy charge lodged against them. Did not the Communist aspect of it appear at all in the charges?

Mr. McINERNEY. No, sir.

Mr. MORRIS. Not at all?

Mr. McINERNEY. It was no element of the offense. It does not have the significance.

Mr. MORRIS. Would not that element have strengthened your charges?

Senator McMAHON. Probably on that date it would have weakened them.

Mr. McINERNEY. In what sense would it have strengthened it?

Mr. MORRIS. Well, if you are pleading that a conspiracy is in force here, and if you can show that if people belong to a certain organization, by instruction and by discipline they are perforce constrained to turn over their evidence to a foreign power, namely, membership in the Communist Party imposes a discipline on a person which makes it necessary for him to do everything that this foreign power wishes if he is going to be a good Communist, then if at the same time you can show that he not only was a member of the organization, but at the same time had associations with officials of this foreign power, it seems to me you are introducing evidence that is going to strengthen rather than weaken your case.

Mr. McINERNEY. Yes, sir. We had, of course, no evidence of membership in the Communist Party on that part of Jaffe.

Mr. MORRIS. Wasn't he known previously as Comrade Phillips?

Mr. McINERNEY. He is known to have used his first name as a surname.

Mr. MORRIS. I thought it was pretty common knowledge back in 1941 that he was publishing a Communist newspaper under the name of Comrade Phillips.

Mr. McINERNEY. I do not know about the appellation "Comrade." I knew he had the alias "Phillips" and anybody in the writing business, if you find him with an alias, he calls it a pen name.

Senator McMAHON. One thing I would advise, Mr. McInerney, is that you do not waste any time trying to recreate the atmosphere that existed in June of 1945, because you would just be wasting your time, just like a banker in 1933 who was fleeing for his life from something he boasted about before the big crash in September 1929, and you might just as well whistle up a flue as to try to convince

anybody that they at that time, as you put it, in quotes, "were our valiant allies." They had in every Government building in this town, the official policy of the United States. I can remember the posters so well, "Don't criticize your allies. Don't let anyone sow dissension." You remember them, but do not waste your time on that.

Mr. MORRIS. Well, I have only one more question then, Senator. Perhaps I should ask you, Mr. Hitchcock. Why did not Lieutenant Roth, why was he not brought to trial by the military authorities? Why didn't he stand court martial rather than to be prosecuted by the Federal Government? He was a lieutenant in the United States Navy, was he not?

Mr. HITCHCOCK. I have not the slightest idea. The only thing I know about that—and my recollection was refreshed by something Mr. McInerney said—was on his arrest they tore the buttons right off him. What happened after that I suppose I knew at the time. I just do not remember.

Mr. MORRIS. That was never a factor as far as you know?

Mr. HITCHCOCK. A factor in what, sir?

Mr. MORRIS. In handling the prosecution of Andrew Roth, the fact that he was an officer in the United States Navy.

Mr. HITCHCOCK. No.

Mr. MORRIS. I should think that would have been the first thing that would have occurred to you. "This man is a naval officer. We cannot prosecute him. We must turn him over to the military authorities."

Mr. HITCHCOCK. As a matter of fact, when the prosecution was authorized, Counsel, I had nothing to do with that, but had I had anything to do with it, I would have done it the same way.

Mr. McINERNEY. I think that prior to the prosecution, Mr. Forrestal's aide consented to his prosecution.

Mr. MORRIS. Who is Mr. Forrestal's aide?

Mr. McINERNEY. Mathias Correa.

Mr. MORRIS. Did he give any reasons why he was inactivated? I presume he was inactivated.

Mr. McINERNEY. At the time of the arrest?

Mr. MORRIS. Yes.

Mr. McINERNEY. I do not know the Navy regulations, whether they would suspend a man or inactivate him upon his arrest on an internal security charge, but I know that at the time of his arrest, I believe a naval officer was present and took some physical action of striking his buttons.

Mr. MORRIS. Ordinarily a military service will vie with civilian authorities in prosecuting a member of the armed services who has committed a crime while in service.

Mr. McINERNEY. I have found the opposite experience, Mr. Morris. We have had to take on the prosecution of Army officials and Army personnel who have been charged with treason in Brooklyn, you may recall, and Mr. Provoo in New York, and the Air Corps has asked us to prosecute it rather than court martial. That colonel in England—it has been my experience that they are very happy to give them to you.

Mr. MORRIS. Was Service technically in the Army at the time?

Mr. McINERNEY. No, sir.

Mr. MORRIS. He was not. You testified earlier—maybe it was you, Mr. Hitchcock—that Mr. Service was really an Army man who was being loaned to the United States Embassy.

Mr. HITCHCOCK. No, sir; it was just the reverse. He had been in the State Department for a considerable time and was on loan to the Army, but still on the State Department pay roll.

Mr. MORRIS. I see. Thank you very much. That is all.

Senator McMAHON. Gentlemen, I am awfully sorry but I told you I had to leave at four, and it is 2 minutes after now, so I hope that we can wind it up Monday.

Mr. MORGAN. I presume we are through with Mr. Hitchcock.

Senator McMAHON. I think so. Has anybody got any further questions of Mr. Hitchcock?

Mr. McInerney, I will want you to come back since you are in town and you are on the Government payroll. I want the Silverthorne case printed in the record. It is not very long and I think that would be a good thing to have the Silverthorne case in the record, since it seems to be the basis of so much of your reasoning. It should be printed.

The citation is *Silverthorne Lumber Co., Inc., v. United States* (251 U. S. 385).

(The document above referred to is incorporated by reference.)

Mr. MORGAN. I might also ask, Mr. Chairman, that we incorporate by reference in our record the Congressional Record of May 22, 1950, which contains the proceedings of the Hobbs Committee.

Senator McMAHON. It is so ordered.

(Whereupon, at 4:05 p. m., the hearing was adjourned.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, MAY 31, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met, pursuant to adjournment on Friday, May 26, 1950, in room G-28 of the United States Capitol, at 10:30 a. m., Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings and McMahon.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Mr. Robert Morris, assistant counsel of the subcommittee; Mr. James M. McNamee, Assistant Attorney General of the United States; Mr. Peyton Ford, the Assistant to the Attorney General; Mr. D. M. Ladd, Assistant to the Director, Federal Bureau of Investigation; Mr. L. B. Nichols, Assistant Director, Federal Bureau of Investigation.

Senator TYDINGS. Senator McMahon, I was called to New York to be a pallbearer at a funeral on Monday, and while I was there I took some memoranda that I had been working on and devised 11 questions that it seemed to me ought to be cleared up in the public interest because, as I understand the matter, the public is more interested in finding out why these trials did not take place, whether or not there was evidence that had never been adduced before any investigative or judicial body, and other matters in relation thereto, and the questions I asked that the FBI address themselves to today are the following:

1. The names of all individuals involved in the removal of confidential documents from the State Department, whether innocently or not.
2. How did the confidential documents get out of the State Department?
3. Were any employees of the State Department detected taking confidential documents? If so, give names.
4. Were any of the confidential documents given to agents or representatives of any other government? If so, give details.
5. Were any employees of the State Department seen giving documents to other persons on the outside?
6. Was there evidence of espionage? If so, give details.
7. Was evidence essential to convicting the accused obtained in such manner as to render it inadmissible at a trial?

8. What evidence did the FBI have that could not be challenged as illegally obtained which could be used to sustain the indictments?

9. Why were only three persons indicted?

10. Was all evidence the FBI had given to the grand jury against all individuals concerned?

11. Why was it advisable to accept pleas of guilty in the fashion of the two cases of Jaffe and Larsen?

Mr. FORD. Senator, before they testify may I make a brief statement on behalf of the Department?

Senator TYDINGS. If you are going to testify you had better be sworn.

Do you solemnly promise and swear that the evidence you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FORD. I do.

STATEMENT OF PEYTON FORD, ASSISTANT TO THE ATTORNEY GENERAL

Mr. FORD. I was not in the Department at the time this case occurred. The brief statement I want to make is this:

There has been apparent criticism in the press against the Department of Justice and its investigative agency, the FBI. I would like to state on behalf of the Department that at the time this case occurred the first information the FBI received on it appeared to be of an extremely serious nature. There were certain extraordinary methods, as it were, used to investigate the case. We took certain calculated risks. I want to state that at no time did the Criminal Division of the Department or any official be critical of the methods used by the FBI in making this investigation. We got some unfortunate breaks, as you get in any case, but that is no reflection upon the investigative techniques used or the investigation made.

I just want to put that in the record.

Senator TYDINGS. Thank you, Mr. Ford.

Will each of you gentlemen stand and raise your right hand? Do you solemnly promise and swear that the evidence you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LADD. I do.

Mr. NICHOLS. I do.

STATEMENTS OF D. MILTON LADD, ASSISTANT TO THE DIRECTOR, AND L. B. NICHOLS, ASSISTANT DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Senator TYDINGS. Mr. Ladd, give your full name.

Mr. LADD. D. Milton Ladd, Assistant to the Director, Federal Bureau of Investigation.

Senator TYDINGS. How long have you been connected with the Bureau, Mr. Ladd?

Mr. LADD. Since November of 1928.

Senator TYDINGS. What have been your various positions therein?

Mr. LADD. I started as a special agent investigating cases in the field. Thereafter I have been in charge of field offices at New Orleans, St. Louis, St. Paul, the Washington field office, Chicago, Ill.; then Assistant Director in charge of the laboratory and the Identification Division for 2 years. Following that I was Assistant Director in charge of the Security Division of the Federal Bureau of Investigation until a year ago, when I assumed the duties of Assistant to the Director.

Senator TYDINGS. How old are you, Mr. Ladd?

Mr. LADD. Forty-seven.

Senator TYDINGS. What is your present address?

Mr. LADD. 5235 Nebraska Avenue.

Senator TYDINGS. Were you in charge of the FBI detail that acted in the Amerasia case?

Mr. LADD. That is correct; yes.

Senator TYDINGS. When were you first put on this work?

Mr. LADD. I assumed charge of the investigative work in the Security Division in October of '41.

Senator TYDINGS. When were you assigned to the Amerasia matter?

Mr. LADD. On March 14 the matter was referred to the Federal Bureau of Investigation.

Senator TYDINGS. 1941?

Mr. LADD. 1945.

Senator TYDINGS. When did you complete your matters? That is, when were the arrests made?

Mr. LADD. The arrests were made on June 6, 1945.

Senator TYDINGS. So almost 3 months you were working on the case?

Mr. LADD. That is correct.

Senator TYDINGS. How many men did you have engaged in this enterprise at the start, approximately, the first week or 10 days?

Mr. LADD. About 15 or 20, I imagine, the first week.

Senator TYDINGS. What was the highest number you had at any one time?

Mr. LADD. Probably approximately 70 to 75.

Senator TYDINGS. For how long were 70 to 75 engaged in this work?

Mr. LADD. That would vary, Senator, because it would depend upon the surveillance, and so forth.

Senator TYDINGS. Could you give me a general idea of about how long you used 70?

Mr. LADD. I would say for about a month.

Senator TYDINGS. That would be toward the end, more than toward the beginning, as your case was developed?

Mr. LADD. That is correct.

Senator TYDINGS. All right. Go ahead, Mr. Ladd, with any statement you care to make.

Mr. FORD. May I be excused?

Senator TYDINGS. Yes, sir. Thank you, Mr. Ford.

Mr. LADD. It is not our intention to be repetitious in presenting certain phases of the Amerasia case to the committee, so we will confine our statement to the clarification of a number of situations which may have raised certain questions in the minds of the committee, as we know the committee is desirous of having a complete picture objectively given of this matter.

A question has been raised as to the dispatch with which the investigation was handled. The facts in this connection are that there was no delay. The investigation was handled with dispatch. This matter was first referred to the Federal Bureau of Investigation by the State Department on the evening of March 14, 1945, at which time information was furnished indicating that Government documents of top secret character had been found by OSS in the offices of Amerasia magazine.

The official documents recovered by OSS were of a restricted and classified nature and at the time were a great cause for alarm by those having responsibility for security and who were security conscious. Among these documents were the following:

Targets in Japan—classified "top secret."

Japan Air Force—classified "top secret."

Japanese resources—classified "top secret."

Disposition of Japanese naval units after battle of October 20, 1944—classified "top secret."

In connection with this latter document it should be remembered that until the cessation of hostilities one of the most jealously guarded naval secrets was its ability to intercept and break the Japanese naval code. In fact, Mr. Robert Hitchcock in the preparation of this case in September of 1945 requested the details of a document recovered in the office of "Amerasia" disclosing the fact that the Navy had broken the Japanese code. At that time, he was informed through his associate that this and other documents had been obtained by OSS prior to the Bureau's entering the case in a manner which made them inadmissible as evidence.

The knowledge of the existence of such documents at the inception of the investigation, in unauthorized hands, raised many possibilities from an investigative standpoint. It was entirely possible that their possession in unauthorized hands reflected the existence of a heretofore unknown espionage ring with highly placed associates in the Federal services having access to vital information of the utmost importance to security of wartime secrets. It was also entirely possible that the existence of documents out of the files where they belonged reflected carelessness, cupidity or a lack of security consciousness.

Still a third possibility existed, namely, that unprincipled journalism which was not characteristic of responsible journalism everywhere in time of war and peace was endeavoring to develop exclusive stories. No possibility could be overlooked. The situation was urgent. Time was of the essence. It was not unreasonable to consider that the safety of American lives was at stake. The identities of the individuals responsible for furnishing "Amerasia" with Government documents were not known to the FBI or to the State Department. An immediate investigation was instituted, and as a result it was determined that Philip Jaffe and Kate Mitchell were the co-editors of this magazine and that they were in very frequent contact with Emmanuel Larsen of the State Department, Lt. Andrew Roth of ONI, and Mark Gayn. On April 18, 1945, approximately 1 month later, a conference was held between Gen. Julius Holmes, Assistant Secretary of State, Mathias Correa, assistant to the Secretary of the Navy, and representatives of the FBI. At that time, the FBI advised that it

was ready to present the case for such prosecutive action as the Department might consider proper. However, the representatives of the State and Navy Departments requested that the investigation be continued for an additional 2 months or so for the purpose of determining the identities of other employees of their Departments who might be engaged in submitting material to Jaffe and to determine whether Jaffe was actually obtaining this material for the use of a foreign government. As a result of this request, investigation was continued.

Extensive investigation was continued in this matter until on May 29, 1945, full details were furnished to Mr. Tom C. Clark, then Assistant Attorney General in charge of the Criminal Division of the Department of Justice. Later that day, Mr. James McInerney, then a special assistant to the Attorney General, conferred with FBI officials and reviewed the evidence in the case. He was informed of all FBI investigative procedures employed and pointed out that prosecution would be authorized. However, on May 31, 1945, Mr. McInerney advised the FBI that prosecution in connection with this matter was to be held in abeyance until the conclusion of the San Francisco Conference of the United Nations. We were subsequently advised that this request to the Department emanated from the naval aide at the White House. On June 2, 1945, a representative of the State Department inquired as to the status of prosecution and was informed that prosecution was being held in abeyance pending the outcome of the United Nations conference. As a result of this, General Holmes, of the State Department, contacted President Truman concerning this case and furnished him with the above information. President Truman then immediately personally telephoned a representative of the FBI and instructed in no uncertain terms that the prosecution should proceed as quickly as possible and added that in the event instructions were received to the contrary from anyone, he should be immediately advised.

Mr. McINERNEY. In my previous testimony about this particular aspect, as to the holding up of the case, I believe I stated that I was unable to recall the circumstances under which the instruction was given. I have since located a note dated May 29, which is in my handwriting, and which states:

Matter may be held up by Navy. Mr. Forrestal called Mr. Clark.

Mr. LADD. We had previously been advised that the President was deeply concerned about the serious nature of this case and wanted this case given most vigorous investigative and prosecutive attention.

Immediately after the President's call, the Criminal Division of the Department of Justice was advised of the President's instructions and accordingly they prepared the complaints in this case after a full discussion of all of the evidence and with full knowledge of the investigative procedures utilized by the FBI in this case. The FBI was instructed to make the arrests at a time when a search incident to the arrest could be made.

On the late afternoon and evening of June 6, 1945, all of the individuals were taken into custody by FBI agents, at which time a large number of documents, the majority of which were of Government origin or Government property, were obtained.

These recovered documents represented reports from the State Department, the Navy Department, OSS, OWI, Federal Communications

Commission, Foreign Economic Administration, and the War Department. Some of them dealt with military matters, political affairs, and so forth. Many of these documents bore the classifications "secret," "confidential," or "restricted." Some were originals, some were copies prepared at the time the originals were made, and others were copied from the originals. The contents of these documents speak for themselves, such as:

An ONI report dated September 17, 1942, reflecting the organization of Japanese Navy fleets and other operating forces. This bore the classification "confidential" (found in the Amerasia offices).

A "strictly confidential" communication from Ambassador Gauss, dated February 17, 1944, entitled "Reorganization of the Chinese Air Force" (found in the Amerasia office).

A report of the Military Intelligence Division, dated June 10, 1942, entitled "Airfield, Seaplane Anchorages" pertaining to Japan, Korea, Formosa. This document is classified (found in Amerasia offices).

Senator TYDINGS. Where you say "classified" do you mean it is marked "Classified" or did it have a secret or confidential marking?

Mr. NICHOLAS. ONI stated when we checked the documents that this was a classified document which had been in their files.

Mr. LADD. It has no stamp showing its classification, but when we checked it back we received that information.

Senator TYDINGS. In each of these matters you say "a confidential communication," and so on. Is that an original, or was it a copy?

Mr. LADD. Some of them were ozalid copies. This is a photostat of the actual paper.

Senator TYDINGS. Was the actual paper found?

Mr. LADD. It was an ozalid copy.

A Military Intelligence Division report classified "Confidential" bearing the penciled notation "war plans" entitled "Chinese Guerrilla Training School at Manchiang, N. W. Kiangsu" (found in the apartment of Emmanuel Larsen).

Document dated March 17, 1945, over the signature of John Stewart Service, entitled "Verification of Communists' Territorial Claims by Direct American Observations," which also listed some of the places from which United States airmen had been rescued out of Jap territory (found in the offices of Amerasia).

Senator TYDINGS. Was that marked "Classified" or anything? That is the document dated March 17, 1945. There is no classification given on that one whatsoever here in your summary.

Mr. LADD. No; it is not marked "Classified."

Senator TYDINGS. Don't you think, in order to keep your record straight, it ought to be corrected to say "Nonclassified" or whatever terminology is appropriate?

Mr. LADD. O. K.; "unclassified." That would then read, "unclassified" before "document."

Mr. MORRIS. In whose possession was that found?

Mr. LADD. It was found in the office of Amerasia.

A "secret" document over the signature of John Stewart Service, dated March 20, 1945, entitled "Yen Hsi-Shans' Dealings With the Japanese" (found in the offices of Amerasia).

A document classified "Secret" entitled "Chiang Kai-shek's Treatment of the Kwangsi Clique," dated March 21, 1945, over the signa-

ture of John Stewart Service (found in the brief case of Philip Jaffe in the office of Amerasia at the time of his arrest).

An ONI document dated March 24, 1944, classified "confidential" entitled "China Coast Physical Geography and Coastwise Shipping Routes." This bore the penciled notation "war plans, coastal areas, inner-passage, mined areas" (found in Larsen's apartment).

A document classified "Very secret" entitled "One Reason Why Wedemeyer Returned to Washington." This contained a copy of a memorandum to the Joint Chiefs of Staff, Washington, D. C. (found in Larsen's apartment).

Document classified "Secret" report of the Military Intelligence Division dated March 3, 1944, entitled "Changes to Order of Battle of Chinese Army as of February 29, 1944" (found in Larsen's apartment).

A document classified "Secret" prepared by the Military Intelligence Division, dated February 4, 1944, entitled "Order of Battle of the Chinese Army as of December 31, 1943" (found in Larsen's apartment).

Senator TYDINGS. Of these that you have read, which were copies and which were originals so far as you are able to identify them now? You say some were originals, some were copies prepared at the time the originals were made, and others were copies of the originals. I would like you to furnish that for the record, rather than to stop now.

Mr. LADD. We can do that.

Senator TYDINGS. Just in case somebody wants to know which of these were originals and which were copies, so we will have that.

Mr. LADD. I will be glad to do that.

The FBI made every effort to check on the various documents and cover outstanding leads with dispatch. Departmental attorneys were anxious to secure the results of this investigative activity as rapidly as possible as they desired to present the facts to the grand jury at the earliest possible date. The Bureau was advised that the facts would be presented to the grand jury on June 21, 1945, and on that same day, a departmental attorney advised an FBI official that he was of the opinion that it would be desirable to have this grand jury return indictments charging violation by the defendants of sections 100 and 101, title 18, United States Code. The term of this grand jury expired July 2, 1945, and no returns were made. The facts were represented to a second grand jury beginning July 30, 1945, and on August 10, 1945, true bills against Philip Jaffe, Emmanuel Larsen, and Andrew Roth were returned. No bills were returned on John Service, Kate Mitchell, and Mark Gayn.

The only entry which was questioned was revealed by a motion to quash supported by an affidavit executed by Larsen and filed in the district court on September 28, 1945.

The FBI had advised the Department that its agents had entered apartment 207, 1650 Harvard Street, occupied by Emmanuel Larsen, on April 6, 1945. A sample of typwriting was taken from a typewriter found in the apartment. On June 4, 1945, Larsen moved from apartment 207 to apartment 227. Agents made no entry into apartment 227 from the time Larsen moved in until he was arrested on June 6, 1945. At the time Larsen was taken into custody he was asked by special agents whether he had any official Government documents in

his apartment. He stated that he had. The agents asked where they were and he then showed the agents where most of them were. In the search which followed additional documents of a classified nature were found in a dresser drawer. The agents making the search had no previous knowledge of the existence of these documents in the dresser. Upon the disclosure of these documents Larsen told the agents that he did not know how they had come to be placed in there.

The FBI made a detailed administrative inquiry into all of the allegations set forth in the Larsen affidavit and a 21-page summary memorandum was furnished to Mr. Hitchcock on October 12, 1945, to be used as a basis for answering the Larsen affidavit.

Senator McMAHON. That Larsen affidavit is the motion to quash? Mr. LADD. That is correct.

Senator TYDINGS. You do not identify that very clearly. Mr. LADD. It is referred to at the top of the page:

The only entry which was questioned was revealed by a motion to quash supported by an affidavit executed by Larsen and filed in the district court on September 28, 1945.

Subsequently, on October 22, 1945, Mr. Donald Anderson, who was associated with Mr. Hitchcock in this case, advised that the Department intended to offset Larsen's motion to suppress the evidence by showing the court that sufficient evidence was placed before the grand jury to warrant the return of a true bill insofar as Larsen was concerned without considering any of the evidence obtained during the search of Larsen's premises.

At the time of Jaffe's apprehension, June 6, a large number of documents were obtained from the offices of Amerasia. As an illustration of the thoroughness of the investigation, a check was made for fingerprints on the documents recovered. Laboratory examination of material disclosed latent fingerprints of Kate Mitchell, Mark Gayn, and Emmanuel Larsen. One document contained six latent fingerprints of Mark Gayn, one latent fingerprint of Emmanuel Larsen, and one latent fingerprint of Jaffe, indicating that all three individuals had handled that particular one. Typewriting examinations disclosed that a number of those documents in Jaffe's possession were typed by Annette Blumenthal and several were typed on machine belonging to Mark Gayn. Through typewriting comparisons it was further determined that two items recovered in the offices of Amerasia were carbon copies of items recovered in the possession of Emmanuel Larsen.

A handwriting examination disclosed three items in the known handwriting of Andrew Roth and a large number of documents which bore the handwriting of Emmanuel Larsen. Most of the documents recovered were definitely determined to be of Government origin. They dealt primarily with Chinese matters, although some of them dealt with miscellaneous subjects such as India, Thailand, and other South Asian countries. They originated primarily with the State Department, Navy Department, Office of Strategic Services, Office of War Information, Military Intelligence, and Foreign Economic Administration. The subject matter of these documents included military as well as political information.

Admissions, both oral and written, made by the subjects reflected they were fully aware of the fact that they possessed confidential Government documents.

Such documents containing wartime secrets were recovered. A stop was put to an inexcusable practice. A leak of information that could have reached floodtide proportions was plugged in a period of grave national emergency. We knew then of the Communist connections of Jaffe and had every right to assume that the information would have been used against the best interests of the United States.

It is not our responsibility nor would we presume to pass on whether a case should or should not be prosecuted; that is the responsibility of departmental attorneys.

Would you want me to go into the questions?

Senator TYDINGS. Excuse me a minute. Let me read that again.

Now, when you say "Admission, both oral and written, made by the subjects reflected they were fully aware of the fact that they possessed confidential Government document," do you mean all of the subjects, or the three who were indicted, or which number of them?

Mr. LADD. All of the subjects with the exception of Jaffe made written statements.

Senator TYDINGS. They made written statements? What did those statements contain?

Mr. LADD. In the case of Larsen, he admitted—

Senator TYDINGS. Larsen did admit it?

Mr. LADD. That's right.

Senator TYDINGS. Jaffe made no statement?

Mr. LADD. He made no statement.

Senator TYDINGS. Kate Mitchell?

Mr. LADD. Kate Mitchell admitted that she had in her file cabinet in her office certain Government documents.

Senator TYDINGS. And Service?

Mr. LADD. Service admitted that he had taken what he called copies of his official documents.

Senator TYDINGS. Of his own?

Mr. LADD. Of his own, to Jaffee, on numerous occasions.

Senator TYDINGS. What excuse did he give for that, if any?

Mr. LADD. He made the explanation that at the time he made the original copies he made a copy for himself, and he considered this his own personal property.

Senator TYDINGS. I know; but was it classified?

Mr. LADD. Some of them he had classified, yes.

Senator TYDINGS. Had he given any of the classified ones to Jaffe?

Mr. LADD. Yes.

Senator TYDINGS. What was his explanation of that?

Mr. LADD. His explanation was that he had put the classification on himself, and that the copy which he had furnished was his personal copy.

Senator TYDINGS. Now let us turn back here a moment, before you get to the questions, so I can follow you where you describe these various documents. There was one here, "A 'secret' document over the signature of John Stewart Service dated March 20, 1945, entitled 'Yen Hsi-Shans' Dealings With the Japanese' (found in the offices of Amerasia)." Who put the word "secret" on it, Service himself?

Mr. LADD. Service testified that he placed the classification on these reports himself.

Senator TYDINGS. I do not suppose you would want to pass on whether the terminology of "secret" was well chosen or not.

Mr. LADD. No.

Senator TYDINGS. You just relate what you found.

Mr. LADD. We just relate what we found. When we get any documents from another Government agency we accept their classification and do not question it.

Senator TYDINGS. With reference to one document which is marked "secret"—let's see the length of it—just bear with me a minute while I run over this, will you? I think we ought to put this document in the record, May I keep this?

Mr. LADD. We cannot make that available. That would be up to the Department.

Senator TYDINGS. How about this, Mr. McInerney?

Mr. McINERNEY. We will be glad to furnish photostats.

Senator TYDINGS. I am not going to pass on it, but from reading it hurriedly it looks like Yen Hsi-shan is a Chinese general, and the purport of this was to show his alleged relationship with certain Japanese who were part of the Japanese Army. However, I haven't read it in full. That is the document that we have before us. I am looking for the classification on here at the moment.

Mr. LADD. In the upper left-hand corner.

Senator TYDINGS. Now go ahead with the questions on page 11. These are questions which I asked Mr. Morgan to present to you on Sunday and asked you to give me your answers in writing so that they would be available for the information of the press and country, and all those who are concerned in this particular part of the investigation. Read the question and then the answer.

Mr. LADD (reading) :

Question. (1) The names of all individuals involved in the removal of confidential documents from the State Department, whether innocently or not.

Answer. Emmanuel Larsen and John Service, State Department employees, have both admitted that they removed such documents from the State Department. Larsen admitted showing and giving Phillip Jaffe classified documents. Service admitted showing and giving Jaffe documents. Larsen was seen on numerous occasions carrying envelopes out of the State Department to the Statler Hotel where he met Jaffe. On other occasions Service was seen to carry a brief case out of the State Department into the Statler Hotel where he met Jaffe.

Senator TYDINGS. Right there, were there any other employees of the State Department involved in the removal of confidential documents, that you know of?

Mr. LADD. No, sir.

Senator TYDINGS. That is my understanding, that these were the only two that your agents and your surveillance turned up. That is correct, is it?

Mr. LADD. That is correct.

Senator TYDING. There were no others, directly or indirectly, that you know of?

Mr. LADD. That is correct.

Senator TYDINGS. Go ahead.

Mr. LADD (reading) :

Question. (2) How did the confidential documents get out of the State Department?

Answer. The confidential documents were carried out of the State Department. This is admitted. In addition, Larsen was seen on numerous occasions carrying manila envelopes and a brief case out of the State Department to his residence, and to the Statler Hotel where he met Jaffe, Roth, and Service.

Question. (3) Were any employees of the State Department detected taking confidential documents? If so, give names.

Answer. While not detected in the act, Service and Larsen have both admitted removing classified documents from the State Department. Both were observed leaving the State Department with brief cases and manila envelopes and both have been followed to the Statler Hotel where they had meetings with Jaffe and Roth. On one occasion Jaffe and Service visited the residence of Andrew Roth. When they entered Jaffe carried nothing. When he left he was carrying a manila envelope. Roth and Larsen were observed going to the hotel room of Jaffe on one occasion carrying envelopes. When they left they were not carrying envelopes. On April 10, 1945, Andrew Roth, his wife, Mrs. Roth, and Emmanuel Larsen were observed having lunch in Washington. Following lunch Mrs. Roth carried two manila envelopes to her home in Virginia. On April 12 she entered Jaffe's office in New York City carrying a large manila envelope. She went directly to Jaffe's private office and an hour later departed without carrying an envelope.

Following the arrests of the defendants hundreds of classified documents were found in their possession.

Question. (4) Were any of the confidential documents given to agents or representatives of any other governments? If so, give details.

Answer. Obviously, spies do not pass documents in the presence of witnesses and it is not known whether classified information possessed by Jaffe or his associates was communicated to representatives of any other government. In the course of the investigation, however, Jaffe was observed to enter the Soviet consulate in New York City on May 31, 1945. He met with Earl Browder, then head of the Communist Party, on four occasions during the investigation.

Senator TYDINGS. That is your investigation?

Mr. LADD. The FBI investigation.

Senator TYDINGS. Go ahead.

Mr. LADD. Jaffe also had meetings with Tung Pi-wu, the Chinese Communist representative to the United Nations Conference. On April 22, 1945, for example, Browder and his secretary, Harold Smith, entered Jaffe's residence at 10 a. m. At 10:20 a. m. Tung Pi-wu accompanied by two unidentified Chinese arrived. At 1 p. m. Browder, Smith, and Mrs. Jaffe left the premises returning in a half hour. Shortly after 3 p. m. Browder, Smith, Tung Pi-wu and the two Chinese left Jaffe's home. On another occasion, Tung Pi-wu met with Service in Washington, D. C.

Senator McMAHON. Mr. Ladd, you don't know what they talked about. Do you have anything further on that?

Mr. LADD. No; we have no other information at all. As we say at the beginning, Senator, we don't know whether ~~any~~ confidential information was passed. [Reads:]

Question: (5) Were any employees of the State Department seen giving documents to other persons on the outside?

Answer: While actual physical delivery of documents was not observed, the fact remains that hundreds of classified documents were recovered from unauthorized persons on June 6, 1945. Larsen and Service were observed in frequent contact with Jaffe and Roth. Service also met with Mark Guyn and has stayed in his New York apartment. Both Larsen and Service have admitted giving documents to Jaffe. Larsen and Service were also observed carrying envelopes or a zipper case out of the State Department. As a further illustration of the operations of this group, Service met with Jaffe in his hotel room on May 8, 1945. Service discussed military, political, and policy matters with Jaffe and cautioned him by saying: "Well, what I said about the military plans is, of course, very secret."

(Discussion was had off the record.)

Mr. LADD (reading):

Question: (6) Was there evidence of espionage? If so, give details.

Answer: The answer to this question is one of legal determination and a question for the Department of Justice to pass upon. The Bureau did file com-

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plaints before a Federal Judge in Washington, D. C., prepared by the Department attorneys charging violation of section 88, title 18, United States Code, in that they had conspired to violate section 31, subsections C and D of the Espionage Act, title 50, United States Code, upon which the arrests were made on June 6, 1945.

Senator TYDINGS. What does that section cover?

Mr. LADD. That is the conspiracy section.

Senator TYDINGS. You had two options, the conspiracy and the espionage. Are they different, or are they one and the same thing?

Mr. LADD. There is conspiracy to commit espionage. I think the Department could answer the legal question better than I.

Senator TYDINGS. Illegal possession of documents in wartime is an offense in itself, and espionage is an offense. Is that correct?

Mr. McINERNEY. The illegal or unauthorized possession of documents relating to national defense is a violation of the espionage section.

Senator TYDINGS. What is the difference between that and espionage as we generally know it?

Mr. McINERNEY. There are three sections of the Espionage Act. One is relating to obtaining information with relation to national defense; two, disbursing it in an unauthorized way; and three, transmitting it to persons to the prejudice of the United States.

Senator TYDINGS. So when you speak here of the particular statute, and in answer to the question, you say the Bureau did file complaints before a Federal judge in Washington, prepared by the Department attorneys, charging violation of section 88, title 18, United States Code, in that they had conspired to violate section 31, subsections C and D of the Espionage Act, title 50, United States Code, upon which the arrests were made on June 6, 1945. So in the ramifications of espionage the answer would be "Yes," would it not? You see, I asked the question, "Was there evidence of espionage?" I would first like to have had "Yes; there was," or "No; there wasn't."

Mr. McINERNEY. There was not espionage in the usual sense.

Senator TYDINGS. That is what I am trying to develop.

Mr. McINERNEY. There was no transmission, there was no evidence of intent to injure the United States or help an enemy or a foreign government.

Senator TYDINGS. So what you really got them on was illegal possession?

Mr. McINERNEY. Right.

Senator TYDINGS. That is what I wanted to bring out.

Go ahead.

Mr. LADD (reading) :

Question. (7) Was evidence essential to convicting the accused obtained in such a manner as to render it inadmissible at a trial?

Answer. The passing upon the admissibility of evidence is the responsibility of the Department of Justice.

(Discussion was continued off the record.)

Senator TYDINGS. Was evidence sought and obtained by entering the apartment and premises of the accused without legal process and without the knowledge of the accused?

Mr. NICHOLS. In answering this question I would like to point out the responsibility that was on the Bureau at this time. The war was still being fought. Information was in our possession indicating a

leak of what could be vital military secrets. Our chief and immediate concern at the moment was who was getting this information and how to bring a stop to it. Our internal-security function was one of prevention as well as apprehension and prosecution. We put first things first, and we did enter the premises of Amerasia, the Mark Gayn apartment and the Larsen apartment, where we observed classified documents emanating from the Government. This, of course, was prior to the arrest on June 6, 1945.

Senator TYDINGS. Were these entries of the premises before arrest made by the agents without legal process and without the knowledge of the subjects?

Mr. NICHOLS. Obviously the entries were made without the knowledge of the individuals involved.

Senator TYDINGS. Were these circumstances of the manner and time of the entries used after the arrests were made as a basis by the accused for filing motions to suppress and quash the indictments?

Mr. NICHOLS. Emmanuel Larsen filed a motion to quash on September 28, 1945. However, the issue was not raised by any of the other defendants so far as we know.

Senator TYDINGS. Do you know whether or not there was the fear that it would be raised by any of the other defendants?

Mr. NICHOLS. That is a matter involving the prosecution of the case.
(Discussion was continued off the record.)

Senator TYDINGS. I would like to say now, on the record, that I thank you, Mr. Ladd and Mr. Nichols, for giving us this account of what happened. I understand how during the war your first concern, and properly so, was to put an end to whoever was getting these documents, and zeal to that end was more important than anything else, with men fighting and dying all over the world. So far, if you had a little more zeal in accomplishing that than maybe in a sober moment we might think was necessary, I would be the last one to criticize you, because I think your primary objective of stopping this business was of major concern, and I think all who know the facts about this are going to give you commendation rather than criticism.

Mr. NICHOLS. Thank you, Senator.

Mr. LADD. Thank you.

Senator TYDINGS. Now the last page of your questions.

Mr. LADD (reading) :

Question: (8) What evidence did the FBI have that could not be challenged as illegally obtained which could be used to sustain the indictments?

Answer: The answer to this question involves the expression of a legal opinion by attorneys in the Department of Justice.

Question: Why were only three persons indicted?

Answer: The FBI is unable to answer this question, as it involves a matter of prosecution, which is handled by the attorneys in the Department of Justice.

Senator TYDINGS. I would also include in there the District grand jury. I would put the grand jury first, because they have to indict, and then there is the prosecution, which is handled by the attorneys in the Department of Justice.

Mr. LADD (reading) :

Question: (10) Was all evidence the FBI had given to the grand jury against all individuals concerned?

Answer: The answer to this question could be secured only by reviewing a transcript of the grand jury proceedings, checking upon the testimony of the

witnesses and making an inventory of available evidence. Thus, it can be seen that the FBI is unable to answer this question.

Question: (11) Why was it advisable to accept pleas of guilty in the fashion of the two cases of Jaffo and Larsson?

Answer: The FBI does not inject itself into matters involving prosecution and thus is unable to express an opinion on this question since it involves a departmental matter.

Senator TYDINGS. There are two or three collateral things I would like to clear up there. How many FBI agents appeared before the grand jury and gave evidence?

Mr. McINERNEY. We put the list in. I will put it in again. There were 17, I think.

Mr. LADD. I think that was the figure. Let's say approximately 17, for the answer.

Senator TYDINGS. Do you consider from the investigative angle that the case was well presented to the grand jury? You had your men there. Was it well presented?

Mr. LADD. That is a question we cannot comment on.

Mr. McINERNEY. Their men have not read the grand jury transcript.

Senator TYDINGS. I would think he would know what men were called and which witnesses could be pertinent toward developing a substantial case against these people. That was the sense in which I asked it. I would like to ask you whether the witnesses called before the grand jury were such as to present, from your knowledge of directing this, a complete picture of the evidence that you gentlemen had gathered.

Mr. LADD. I would say they were, yes, Senator.

Senator TYDINGS. Do you know, of your own knowledge—so far as you know, so far as your own knowledge goes, has the Bureau any evidence that there was any improper influence used in this case in arresting the securing of indictments or in the handling of the matter after indictments against any or all of these individuals who were arrested?

Mr. LADD. Obviously that would have to be a question to be answered by the Department.

Senator TYDINGS. I say of your own knowledge.

(The question was reread.)

Senator TYDINGS. Just so far as you know.

Mr. LADD. That question should be answered by the Department. So far as the Bureau is concerned, obviously no one has approached the Bureau or anyone in the Bureau in connection with any fix.

Senator TYDINGS. Then your answer would be, so far as your knowledge goes, there was no such thing. Is that correct?

Mr. LADD. My answer is, insofar as the Bureau is concerned, the Bureau has not been approached at any time in connection with any so-called fix.

Senator TYDINGS. And that would include you?

Mr. LADD. That includes me; yes.

Senator TYDINGS. I would like to ask Mr. Nichols the same question.

Mr. NICHOLS. I would concur with Mr. Ladd.

Senator TYDINGS. Do you have any knowledge to the effect that the Bureau or anyone connected with the Bureau has been approached with the purpose of bringing undue influence to bear in connection with the indictment or trial of any of the six individuals who were originally arrested?

Mr. NICHOLS. I am certain no one in the Bureau has been approached. Senator TYDINGS. So your knowledge goes only to the Bureau. Do you have any knowledge outside of the Bureau?

Mr. NICHOLS. That would be obviously a question for the Department to answer.

Senator TYDINGS. Do you have any knowledge that there was any fix outside the Bureau? By that I mean by the Government, or whatever might be improper.

Mr. NICHOLS. That is a difficult question for me to answer.

Senator TYDINGS. Why? Do you mean you can't answer it?

Mr. NICHOLS. It is obviously for the Department to answer on that.

Senator TYDINGS. I don't just follow you.

Senator McMAHON. You have your primary investigating function. If there was undue influence in any Department, it would be a subject for investigation by the Department of Justice because it is a crime within your jurisdiction.

Mr. NICHOLS. We have never made any investigation along that line.

Senator McMAHON. Have you ever had any evidence submitted to you that there was improper influence exerted in this case?

Mr. NICHOLS. Not to my knowledge.

Mr. McINERNEY. The Bureau did send a memorandum in August talking about rumors in the newspaper world with regard to influence. They ran it down to the public-relations man in the State Department, and they suggested that he call me on whatever he was hearing. I think his name was Blake.

Senator TYDINGS. I am all mixed up here now. I was reasonably straight a while ago. There was a rumor. There was some statement or something in the press here. I read it myself recently, where the word has been used. You say that then the Bureau sent a memorandum? To whom?

Mr. McINERNEY. To the Attorney General.

Senator TYDINGS. Saying what?

Mr. McINERNEY. That it was rumored in newspaper circles that this case was going to be "cashed," or some such language.

Senator TYDINGS. This was at the time of the arrests, or recently?

Mr. McINERNEY. The grand jury was on it.

Senator TYDINGS. In 1945?

Mr. McINERNEY. Yes.

Senator TYDINGS. I see.

Mr. McINERNEY. As a matter of fact, it developed that this information had been reported, I believe, by Tom Blake, of the State Department; and the Bureau told him to communicate with me or with the Criminal Division and report whatever he had heard. He never did.

Senator TYDINGS. Have you ever gotten any intimation or information or evidence that a fix was attempted at any point in this whole thing?

Mr. McINERNEY. Have I, sir?

Senator TYDINGS. Yes.

Mr. McINERNEY. No, sir.

Senator TYDINGS. That is about as far as we can go this morning unless, Brian, you or Mr. Morgan have some questions.

Mr. MORRIS. I have some questions. I will wait until the Senator or Mr. Morgan have asked theirs.

Senator McMAHON. Mr. Nichols, getting back to the question Mr. McInerney just answered—and, if I am mistaken, correct me—it is part of the investigative jurisdiction of the Federal Bureau of Investigation to investigate substantive crime such as bribery or a conspiracy to bribe or any substantive crime of obstruction of justice or conspiracy to obstruct justice. Has the Bureau any evidence that anyone, either in the Department, in the Government, or outside the Government, engaged in any of these things?

Mr. NICHOLS. Bribery?

Senator McMAHON. Or obstruction of justice.

Mr. NICHOLS. I don't know of any.

Mr. MORGAN. I have one question that will be helpful to me particularly. In the course of testimony that has gone before, particularly that of Mr. Bielaski, there have been quite a few suggestions concerning possible witnesses to appear before this committee, including a great many former agents of the Bureau. I would like to ask you, Mr. Ladd, or Mr. Nichols, as the case may be, as to whether the Bureau is in a position to give us, without resort to former agents, all of the pertinent facts concerning the investigation of this case.

Mr. LADD. I would say in answer to that, very definitely. The Bureau coordinates all of its work throughout the United States through its central headquarters here in Washington, and in that manner I have coordinated the activities in the Amerasia case from Washington of the agents in New York or Washington or wherever the investigation might be, and the full facts are available to us in Washington and can be and will be made available to the committee at any time.

Senator TYDINGS. You have pretty well made them available.

Mr. LADD. We have endeavored to do so today.

Senator TYDINGS. Is there any pertinent fact about this case that ought to come out that has not been brought out that you can recall right now?

Mr. LADD. You have the testimony, and incorporated it, from the Hobbs committee the other day; and I think that gave a pretty complete history of the case.

Senator TYDINGS. That, plus these questions we have brought out this morning, gives the Bureau's picture of the case pretty clearly, does it?

Mr. LADD. I believe so.

Mr. MORGAN. That was my next question, Senator, as to whether Inspector Gurnea's testimony, as it appears on page 7560 forward of the Congressional Record of May 22, 1950, is an accurate statement of the facts insofar as they are stated there.

Mr. LADD. It is; yes.

Mr. MORRIS. I have before me what purports to be a one-page handwritten letter dated April 2, 1945, at "Staff, CINPAC, Advance Headquarters, Box 5, Fleet Post Office, San Francisco," on the stationery of the United States Pacific Fleet and Pacific Ocean areas, Headquarters of the Commander in Chief. The letter reads:

DEAR JACK—
This is 64Q401—

Your returning boss gives me a chance to get this line off to you. I have been luxuriating here on Guam for almost 2 months. I am in the Future Plans Section

technically, but mostly am getting an education in what goes on in the Pacific and trying to keep up on China. The former is fascinating; the latter, difficult.

If you could find a safe way to send me an occasional copy of your memos, I would be grateful. Maybe you will find it practical, maybe not. So far as I can find out, this is the only opportunity I will have to communicate with you until and unless Lud and Emerson come through.

What goes on these days in the old country? I get a chuckle out of the news this morning that old Tung Pi-Wu is going to be a delegate to the San Francisco conference.

Best to the boys, especially Sol, if he is about.

JIM.

Senator McMAHON. Jim who?

Mr. MORRIS. I don't know. That is what I am going to ask. Has the FBI done any investigating with respect to that particular letter?

Mr. LADD. In connection with that particular letter, that was a personal letter found in Service's office. The identity of the so-called Lud in there was believed on check to be Raymond B. Ludden, who was interviewed in connection with this particular investigation on June 8, 1945. He admitted that he was a close friend of Service's, and he had been employed in the State Department since September of 1931 as a Foreign Service officer of the Division of Far Eastern Affairs.

The sender of the letter we don't know. Whether Mr. McInerney can answer that, I do not know. Whether these were shown to Service at the grand jury, I can't say.

Mr. McINERNEY. I don't know.

Mr. MORRIS. On the face of it, you would gather that here is a man who is a future plans officer at Admiral Nimitz' headquarters, trying to devise a way by which they can send memoranda out to each other. It would look to me to be at least abortive evidence, at least incipient evidence, of a conspiracy, and since the people are in the State Department—Ludden is in the State Department—I was wondering if this Sol is Sol Adler, who was frequently mentioned in connection with this same group.

Mr. LADD. We believe that it was; yes. He, when interviewed, said he first met Service in 1941 in Chungking, China, that he was very well acquainted with China. At that time he was a Treasury Department representative in China.

Mr. MORRIS. They talk about "I got a chuckle out of the news this morning that old Tung Pi-Wu * * *." They certainly seem to be talking in terms of affection in that connection. I was wondering to what extent that had been investigated by you, Mr. Ladd.

Mr. LADD. To the extent of trying to identify these individuals whose names have been mention. The identity of "Jim" we do not know.

Mr. MORRIS. Information like this, I grant you, is probably not testimony in the sense that it would be admissible in a court of law.

Would that be admissible in a loyalty board hearing?

Mr. LADD. I would gather it would be admissible in a loyalty board hearing.

Senator TYDINGS. On Service? Yes; it would, because the FBI have told me in writing that we have in the files all of the information which touches on the loyalty of the individual in question. There are long, long, long FBI records, sometimes as many as 40 or 50 witnesses interviewed, so I would assume, without knowing precisely of this case, Mr. Morris, that it would be there. That is only a supposition. I am not giving you that as a fact.

Mr. MORRIS. There are several other such letters as this. I think they are good leads.

Senator TYDINGS. If the FBI has them, we have them.

Mr. MORRIS. If we can arrange a way by which I can ask questions of these gentlemen without having to keep you and everybody here, I will be glad to do that.

Senator TYDINGS. I think we will stay.

Mr. MORRIS. I have a letter which is 60Q397, which is a typewritten letter dated "Washington, April 16, 1945."

Senator TYDINGS. Are these parts of the seized records you are reading now?

Mr. MORRIS. That is right. These particular ones Mr. McInerney had sent up here this morning. This is part of a letter. It begins "Dear Anna Lee and Teddy." I presume that is Anna Lee and Teddy White. They are well-known people who have been identified in this whole far-eastern picture. It reads:

The optimistically pleasant speculations we allowed ourselves to indulge in on that last evening of mine on 870—

Street blocked out—

were 180° wrong. The paper rode Tiger loudly enough here to drown out the apparently general—

Apparently "apprehension has been scratched out—

but—

Another word scratched out—

timid opposition, and based on—

And then "nothing but" scratched out, and—

the Tiger's modest account of his achievements.

The big boss said, "Keep it up." After that the table pounding, in regard to yours truly, was only a matter of course. Especially disappointing was the "political sense" in the narrow means by the man I had hoped would fight.

I am now assigned to a safe job here but have been urged to bide my time. The Tiger's support ended on the 12th, the day of my arrival, and there is a feeling that—

Several words scratched out—

good jobs should go to good party members.

That apparently is the end of the letter. Has it been determined that Service wrote that letter?

Mr. LADD. I can't answer that for you.

Senator TYDINGS. Who signed it?

Mr. MORRIS. It is an unfinished letter, Senator.

Mr. LADD. It was a personal letter found in Service's office. Who prepared it, I cannot answer for you. I do not know.

Mr. MORRIS. Would an examination of your evidence aid you in answering that, Mr. Ladd?

Mr. LADD. I doubt that.

Mr. MORRIS. Do you know who "the Tiger" is?

Mr. LADD. I haven't the slightest idea who "the Tiger" is.

Mr. MORRIS. And you don't know who "the big boss" is?

Mr. LADD. No.

Mr. MORRIS. How about the statement "There is a feeling that good jobs should go to good party members"? What have you to say—was there any development on that?

Mr. LADD. No.

Senator McMAHON. Let me bring in one question, will you? Mr. Bielaski, when he was up here, Mr. Ladd, testified that he discovered a paper, an envelope, with "A bomb" written on it. Did that ever enter into any of your investigative reports? Do you know what I am referring to?

Mr. LADD. Yes. I didn't know you were through with your question. I'm sorry.

In answer to that, Senator, none of the documents that were obtained by the Bureau or that were turned over to the Bureau by OSS at the initiation of this investigation contained any references to the so-called A-bomb. Likewise I might add that we have checked with the Atomic Energy Commission and they have no knowledge of any such document covered by this investigation.

Mr. MORRIS. May I say there that the documents perused by Mr. Bielaski were not the same documents perused by the FBI when they made their subsequent arrests. As I understand it, there was an entry—

Senator TYDINGS. Some of them were, because he said he only took some that he read. You will find that in the testimony.

Senator McMAHON. You have the answer from Mr. Ladd.

Mr. MORRIS. I would like the record to show that after Mr. Bielaski's entry into the Americas office there was an entry made by the Federal Bureau of Investigation, and at that time it was apparent that the documents that had been seen by Mr. Bielaski had been completely removed.

Senator TYDINGS. How do we know that?

Mr. MORRIS. It has come out in the testimony somewhere.

Senator TYDINGS. Who brought it out?

Mr. MORRIS. I think you did, didn't you, Mr. McInerney?

Mr. McINERNEY. No. I think Mr. Bielaski brought it out.

Senator TYDINGS. Mr. Bielaski brought it out; nobody else brought it out.

Mr. McINERNEY. Mr. Bielaski stated that when the FBI moved in they didn't find any documents and they thought that he had burned up the case, and he explained it by saying that there was just a lapse in there in which the documents had been returned and then a new lot was coming in.

Senator TYDINGS. That is right. I remember his testimony. That is what you have in mind. But there has been no evidence by anybody else to corroborate what Mr. Bielaski said, so far as I can recall.

Senator McMAHON. The whole point of my question in re the A-bomb and Mr. Bielaski's testimony is simply to point out that no one else, either in his raiding force, as he testified himself, nor the Federal Bureau of Investigation, although they have done their best to follow up that so-called lead, nothing has been divulged which would indicate that any A-bomb material was involved other than on Mr. Bielaski's say-so. It is also significant that the term "A-bomb" was coined by headline writers months after the A-bomb was dropped on Hiroshima. That is a matter of historical fact.

Mr. MORRIS. Will the record show that there is no evidence that the documents examined by the FBI in subsequent entry or entries were necessarily the same ones used by Mr. Bielaski at the time he made his entry?

Senator TYDINGS. That's right, and the record will also show that the records examined by the FBI were not necessarily not the same records examined by Mr. Bielaski at the time, so you can take it either way.

Mr. McINERNEY. If you are going to go into the presence or absence of the A-bomb data, I think the record ought to show that the Bureau was in there 10 days after Bielaski. Otherwise it might appear than they were in there on June 6.

Senator TYDINGS. How soon were you in there after Mr. Bielaski was in there?

Mr. LADD. We were in there the night of March 19-20.

Mr. McINERNEY. Bielaski was in there on March 10.

Senator TYDINGS. It was about that time.

Mr. MORRIS. Did the FBI find documents in there at that time?

Mr. LADD. Yes, sir. A large number of documents were in there on that night, but as previously stated, we don't know whether they were the same ones Bielaski saw or not.

Senator TYDINGS. Mr. Bielaski wasn't with you and did not see your documents, and you weren't with him, so you can't tell what he saw, so there you are.

Mr. MORRIS. I have one more of these that I would like to ask about. This is a letter in Service's file, S-62/Q399. It is a letter from Max Knight to Mr. Jack Service:

BERKELEY 8, CALIF., March 7, 1945.

Mr. JACK SERVICE,

Care of Neil Brooch, CAPI,

APO 627, care of Postmaster, New York, N. Y.

DEAR JACK SERVICE: I do hope you don't resent that I now trouble you long distance. But my conscience bothers me; I know how I would feel if I were in Dr. Schwarz's shoes (and I would be in his shoes save for some fortunate circumstances, including J. S.)

I had hoped to have a chance to see you again before you left—you sure move fast, and it seems you get across the sea sooner than we get across the bay.

Actually I have little to add to Kurt's story; I just may add his address: 173 Route Mayen (Hwa Ting Lu)—that's the place where the kindergarten is. Perhaps you may want to add his address to your other addresses, in case there is a chance to use it. Kurt's name is also known to Carlson who used to work in Opiantell, and to Fitch; and Lyman Hoover actually knows Kurt. I had a letter from Lyman a few weeks ago.

If you think it possible to write to Kurt, even just greetings so he sees he is not forgotten, I know it would be a great lift for him and Martha. He knows your name. I feel lousy to suggest this to you, and I would feel guilty if I didn't. So here you have my dilemma.

Next month I will celebrate the fourth anniversary of my arrival—and last week my folks (father and mother) arrive in the United States from England on the quota; it took me all these 4 years to get them here, but now I am the happiest guy between the two coasts.

From time to time in the office we have a chance to see reports which include your name, so we are currently reminded of you. What an interesting job you have.

Well, once again, I hope you won't mind all this too much—but I feel if anyone can appreciate the circumstances it's you.

Very sincerely yours,

MAX KNIGHT.

Mr. Ladd, was there any investigation and examination conducted to determine the nature of 173 Route Mayen and what that address was?

Mr. LADD. I could not answer that without checking the files. It is a little difficult to try to keep the full details of 1,700 documents in mind.

Mr. MORRIS. I understand it is. That is why I suggested perhaps it would be better to do this at another time.

Mr. LADD. I will be glad to get the answer for the committee.

Mr. MORRIS. Very good.

May I reserve the right to ask a few more of these at some other time, Senator Tydings?

Senator TYDINGS. Oh, yes; sure.

Mr. MORRIS. In other words, this is something I think will be much more efficiently handled if these men, Mr. Ladd and Mr. Nichols, could have all the investigative facts available.

Senator TYDINGS. Why don't you do this, Mr. Morris: Why don't you take a list of what you have there, turn those papers over to these two gentlemen, and ask them what they have developed as a consequence of the papers which you turn over to them, and let them put a written statement in full of the matter, so you will have the whole picture? Will you do that?

Mr. MORRIS. Yes; I will.

Senator TYDINGS. Then they can look it up and see what they have in their files. You just turn them over, and I will ask these gentlemen to put in the record any data they have with reference to the interpretation of these documents that are authentic.

Mr. MORRIS. I think I can let these other questions go.

Mr. MORGAN. In the course of Mr. Bielaski's testimony, I believe he makes reference to a statement attributed to a former agent to the effect that while Mr. Bielaski had not been fortunate enough to find FBI reports or data in the course of his check of the Amerasia quarters, that in fact this ex-agent had been more fortunate and had obtained FBI reports.

I would like to ask Mr. Ladd if there is any evidence indicating that that is or is not true.

Mr. LADD. There were no FBI reports found in connection with any of the arrests in this case with the exception of a copy of a memorandum from the Bureau to the Honorable Adolph Berle, Assistant Secretary of State, on the subject, Exploitation of White Russians In Far East for Espionage Activity.

The copy which was found had been checked to the Director of Naval Intelligence in the Navy Department, Washington, D. C. ONI has no record of this document, and they believe that this copy that we recovered was the one that was actually designated for them.

Mr. MORGAN. Where and on what occasion was this document recovered?

Mr. LADD. This was recovered in Larsen's apartment, a carbon copy of an original.

Mr. MORGAN. At the same time the search was made incident to the arrest of Larsen?

Mr. LADD. At the time the search was made; yes, sir.

Mr. MORRIS. What has been the adjudication on the request for the memorandum from the FBI to the Department of Justice with respect to the answering affidavit of the motion to quash papers of Larsen? I think Mr. Ladd said it would be available and Mr. McInerney questioned the advisability of making it available.

Mr. LADD. I did not say it would be available. That is a question to be passed on by the Department. The FBI has no right to make papers available to anybody.

Senator TYDINGS. Just before you leave, in order that we have some coordination here and the story is accurate, the press is going to be after me on what we did this morning, and without disclosing these I am going to say that I put a number of what I deemed were very pertinent questions to the FBI, and the FBI answered those questions in considerable detail. In the light of the questions and answers they made rather extensive remarks concerning certain phases of the case and have stated that they believed the committee now has from the FBI standpoint an accurate picture of the FBI's knowledge of the Amerasia matter. Is that correct, Mr. Ladd?

Mr. LADD. That is correct.

Senator McMAHON. May I make one further suggestion, that it would be well if you will say that it is the intention of the committee—if you agree with me—to summon the six defendants in this case and, pending receipt of their testimony, pending the receipt of the whole testimony in the case, no evidence will be handed out.

Senator TYDINGS. You think we ought to summon the six men, do you?

Mr. McINERNEY. Two of them are abroad. Roth is in Indochina. Gayn is in Europe.

Senator TYDINGS. What is Roth doing?

Mr. McINERNEY. He is correspondent for The Nation or some other magazine. Gayn is a correspondent. Jaffe, I think, is available. I don't know whether Mitchell is. Service, of course, is here. Larsen is here. Two of them are out of pocket.

Senator McMAHON. We will do the best we can, but I think we have got to get them, Senator. I don't see any other way, do you?

And I regret that we haven't got a quorum, because I would like to move for the citation of Browder and Field.

Senator TYDINGS. We will have to put that up to the Foreign Relations Committee.

Senator McMAHON. I think we ought to do it.

Of course in this case, the objective of the Amerasia case as I see it, is to find out whether or not there has been corruption involved in this case, whether there has been a so-called "fix."

Senator TYDINGS. Why did it go as it went?

Senator McMAHON. Why did it happen? Let's assume that a mistake was made by the people in charge of the Department of Justice, in our opinion, as a matter of judgment. If that were an honest mistake, unless there was such gross incompetency, it would not be a matter of concern for us. The matter of concern for us is whether or not there has been a "fix" in this case.

Senator TYDINGS. Are we going to prove that there was or was not by asking the defendants to come in here and testify?

Senator McMAHON. I suppose I have to say this 'n answer to that. There are a lot of people that won't be satisfied until these people are questioned, Senator. I suppose we have not only got to be right, but we have got to seem to be right. That is one of the difficulties, as I gather, that the Department is having. They claim they were right, but they have got to seem to be right.

(Whereupon, at 1:20 p. m., the hearing was adjourned.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, JUNE 5, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.
EXECUTIVE SESSION

The subcommittee met, pursuant to adjournment on Wednesday, May 31, 1950, in room G-23 of the United States Capitol, at 2 p. m., Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings (chairman of the subcommittee), Green, McMahon, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Messrs. Robert L. Heald and Robert Morris, assistant counsel of the subcommittee.

Senator TYDINGS. The committee will come to order.

Do you solemnly promise and swear that the evidence you shall give in the matter pending before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LARSEN. I do.

TESTIMONY OF EMMANUEL S. LARSEN

Senator TYDINGS. Give us your full name.

Mr. LARSEN. Emmanuel Sigurd Larsen.

Senator TYDINGS. And your age?

Mr. LARSEN. Fifty-two.

Senator TYDINGS. What is your present address?

Mr. LARSEN. The address is 1650 Harvard Street NW, Washington, D. C.

Senator TYDINGS. Are you presently employed?

Mr. LARSEN. No, sir; I am not employed.

Senator TYDINGS. You are not employed? When was your last employment?

Mr. LARSEN. My last regular employment terminated on October 22, 1945.

Senator TYDINGS. Was that the final episode of the State Department matter?

Mr. LARSEN. Yes, sir. That was the date on which my resignation was accepted by Secretary of State Byrnes.

Senator TYDINGS. I have asked Mr. Morgan to go back over the previous records of testimony concerning the Amerasia matter and

to prepare some questions so as to enlighten the committee on the matter, and also to interrogate you on some useful information, so we will ask Mr. Morgan now to go ahead with his examination.

Mr. MORGAN. Mr. Larsen, we have, of course, available to us at the present time the record of the so-called Hobbs committee, before which you appeared as a witness, I believe.

Mr. LARSEN. Yes.

Mr. MORGAN. I might ask you at this point, were you under oath at that time?

Mr. LARSEN. No, I don't believe so. I can't say for sure, but I don't think so. I came in and met a group of gentlemen in a small room, and we sat around a table and talked in confidence, as I understood it.

Mr. MORGAN. We have, of course, a great deal of background information concerning you. I think, however, we would appreciate having specifically your connection with the United States Government, if you will give us your employment from the outset with the United States Government, in the various capacities for our record, we will appreciate it.

Mr. LARSEN. Yes, sir. After my return to the United States in March of 1935 I came to Washington on a Rockefeller scholarship in the Library of Congress. My work was to translate Chinese history and write up Chinese biographical data for the term of 1 year. However, without having applied to Naval Intelligence the Chiefs of Naval Intelligence approached me in October 1935, and asked me whether I would like to go over to Naval Intelligence as Chinese analyst.

Senator TYDINGS. In what year?

Mr. LARSEN. 1935. As proof that I was not pressing it very much, I let it slide for 9 days and then Captain Reinecke, under orders of Admiral Zacharias, who was my first boss, called me and asked me to come over, and I said, "Well, I will come over one of these days," and he said, "Why not take a taxi now and come over?"

My reluctance in going was simply the fact that I knew it was slightly unethical to quit a scholarship before the expired term, and therefore I sought the advice of Dr. Houmel and Mr. Mortimer Graves, of the American Council of Learned Societies, and both men told me that I was free to quit the scholarship and go to Naval Intelligence if I wanted to. Then I was employed as an analyst on October 14, I believe it was, 1935, and I became Chief Analyst in the Far Eastern Division of Naval Intelligence.

My duties were particularly related with China and Manchuria, on which I have specialized, very much like Mr. Lattimore has specialized on Manchuria, and also Korea and Indochina.

Then I wanted at one time to leave Naval Intelligence because I had been told that my ceiling salary of \$4,800, I think it was at that time, had been reached, and I was ambitious to get into a higher position. So I applied to the American Military Government in 1943 and was accepted to all purposes, but just before being commissioned friends of mine in the Navy Department prevailed upon me to stay with Naval Intelligence, and I was reclassified.

Then, in 1944, I happened to go over to see Dr. Hornbeck in the State Department, and I told him I had tried once to leave the Navy Department but they didn't like civilians pulling out during the war.

He said "There is a place in the Planning and Research Division. Would you be interested?"

I said, "I would, very much. Is it possible?"

He said, "It might be arranged."

So I filed an application. I happened at that time to be ready to go on 10 days' annual leave. I had a lot of leave accumulated. I went to Roanoke with my wife, and when I came back I was informed that I had already been transferred by Executive order. Thus I started to work in the State Department on September 1, 1944.

Mr. MORGAN. Would you care to indicate the nature of your employment with the State Department?

Mr. LARSEN. In the State Department my duties were those of a country specialist, and a group of country specialists were members of a small committee known as the Postwar Policy Committee. We formulated basic postwar policy.

Senator GREEN. Of how many?

Mr. LARSEN. I think there were about 11. As a member of that Postwar Policy Committee and as a member of the Research and Planning Unit of the Far East Division, I had a gold badge. That gold badge entitled me to take out documents, naturally only for official purposes.

Senator TYDINGS. About how many people had gold badges, as nearly as you can remember—hundreds, or dozens, or scores?

Mr. LARSEN. Scores.

Senator TYDINGS. Scores?

Mr. LARSEN. Yes.

Senator LODGE. To take the documents out of the building?

Mr. LARSEN. Yes.

Senator LODGE. Why would you want to take a document out of the building?

Mr. LARSEN. I was asked that by the FBI when I was first arrested, and I told them I had, as you see from documents in my house, taken documents out very frequently. Very many people did that. Why did I do it? My duties consisted of writing papers for the Policy Committee. In the writing of them I used a rather limited field of official literature reaching me, namely just the dispatches concerning political conditions in the particular area of which I was writing, and I had a deadline for every paper, and policy meetings almost every day. So it was absolutely impossible to read all the dispatches that were routed to my desk, and for my attention. Therefore I took home, as so many State Department people did, and Naval Intelligence—I am only speaking from experience, from what I have seen—I had a brief case and I took home dispatches.

Senator LODGE. Couldn't you have gone home for supper and gone back to the office at night?

Mr. LARSEN. No.

Senator LODGE. Why not?

Mr. LARSEN. Because the office would be locked.

Senator LODGE. You couldn't have gotten in?

Mr. LARSEN. I doubt whether they would have permitted me to sit until midnight, for instance.

Senator LODGE. You didn't try.

Mr. LARSEN. We did work until midnight, but then we worked as a group, and the office and files were locked up and we walked out. I

am not sure on that point; it is possible I could have stayed alone, but I frankly doubt it.

Senator LODGE. That is all you wish to say on the point of taking documents out of the building?

Mr. LARSEN. No; I will say more than that.

Furthermore, I was ordered, on a couple of occasions, to take documents. I remember particularly one occasion on which I was ordered to take a document home.

Senator LODGE. By whom?

Mr. LARSEN. By my superior officer, Dr. Blakeslee, head of the research group.

Mr. MORGAN. That is in State?

Mr. LARSEN. Yes. I can tell you what the document was. It was the final paper on postwar policy regarding our position in Korea. It was, of course, a very important document, and I know it would have been very bad if the raid had been made on my house during a time when I had that document. Dr. Blakeslee told me to take it home, get it finished and bring it back Monday morning so we could have our meeting Monday morning, and I did that.

Mr. MORGAN. Do I understand, Mr. Larsen, that this practice of taking material home also prevailed in ONI? Was that done there, too?

Mr. LARSEN. Yes; that's right.

Mr. MORGAN. And when you took this material home, how long did you normally keep it?

Mr. LARSEN. Normally I would keep it 1 night. If I could get through it over the week end, I kept it until the following Monday.

Mr. MORGAN. Give us specifically for the record here the purposes that you had in mind in taking the material home.

Mr. LARSEN. I am glad you asked me that. I had not quite finished concerning the purpose.

When I was arrested by the FBI they asked me that question and I decided to give them the absolute truth on that. I told them that in 1923 I was postmaster in Amoy, South China, and I was ordered by the director general of posts in Pekin to proceed south and meet the rebels—that was Sun Yat-sen and Chiang Kai-shek's group at that time—and find out what their political affiliations were and what type of men they were. There I got into this hobby of collecting biographical notes. I photographed about 55 of them, wrote reports on them and sent them in. Later the army moved northward and I was told to discontinue the project.

Senator TYDINGS. Biographical notes?

Mr. LARSEN. Biographical notes; yes; on Chinese personalities. So in 1923 I started a hobby which I have kept up to this date, of gathering biographical material. I think I have a good file. It was at one time the best in the United States. When I went to naval intelligence I gave naval intelligence the benefit of that knowledge and that file. I turned over about 550 copies to them, duplicates I had.

Mr. MORGAN. You retained, however, the originals?

Mr. LARSEN. Yes; I retained the originals.

Then, in 1944, I met a young man in naval intelligence by the name of Andrew Roth.

Senator TYDINGS. What year?

Mr. LARSEN. In 1944. I can't say exactly when it was, but it probably was March, April, or May—in the spring of 1944. It was while I was still in ONI.

Mr. MORGAN. It was while you were still in ONI?

Mr. LARSEN. That's right.

He was an officer, with gold braid, and I presumed a trustworthy person. I presumed that, because I know it is considerably more difficult to be commissioned than to become a civilian analyst, for the simple reason that a civilian analyst must not handle secret and top-secret material and the officers can handle top-secret and secret material.

Mr. Roth asked me one day whether I was going to lunch. I said, "Yes." I walked with him. When we crossed Pennsylvania Avenue at Seventeenth—

Senator TYDINGS. How did he come to ask you, if he was in Naval Intelligence?

Mr. LARSEN. I was in Naval Intelligence at that time, to August 31, 1944.

Senator TYDINGS. This was before, when you were both in Naval Intelligence?

Mr. LARSEN. That's right, sir.

Senator TYDINGS. Go ahead.

Mr. LARSEN. He asked me whether I still kept my biographical cards up to date. I said "Yes."

He asked me, "Do you know a man by the name of Philip Jaffe?"

I told him "No, I can't place that name. I seem to have heard it, but I can't place it."

He said, "Well, he is a good friend of mine and he is the editor and publisher of Amerasia magazine," and so far as I remember I believe I told him "I have seen it there, I believe."

Then he said, "This man has been in China and has visited the Communist areas, and you told me one time that you had very little on the Chinese Communists, such as a very few photographs" that I put on one corner of my cards.

So he said, "He has all this material, and he would like to exchange that type of material with you."

I told him, "That's fine; that is exactly the way I built up my file, through many, many personal contacts," because I can buy a Who's Who and see all the euphemisms about the career—born, married, and graduated; mostly what a man gives himself. But the dirt on a man, why he double-crossed this and that general, why he joined Chiang Kai-shek's party eventually, his political affiliations such as he does not want to brag about, that I like to collect.

So right then and there Roth said to me, "Well, let's not go in and eat ravioli then. Mr. Jaffe is in town, and I can bring you right to him today if you would like to meet him, and we might have lunch with him."

So I went with him to the Statler Hotel, met Mr. Jaffe, and we sat down around a table. He told me about his interest in Chinese personalities, and we made an agreement that every time he came down to Washington—he said he would come about once a month—he would give me a list of personalities he was interested in, and I could give him one that I was interested in. I believe I gave him one right then

that day. Then we started to get together. He didn't come down for a couple of months. I think it was about July 1944, when we first got together. I had him up at the house and started to show him my collection, and he picked out cards and said, "These men I would like to have biographies of, and I wonder whether you could copy them for me."

I think it was the next time he came back I told him that I hadn't had time to copy them and I didn't like to loan them because then I would lose them, and then he asked my wife if she would copy them, at about 50 cents apiece. That means for some of them one card, others six or seven cards on both sides, 5 by 6, so it would work out not at too high a rate.

She agreed to do that, because she was not working at that time. She had resigned from the Navy Department quite a long time ago, and then we started to work this.

Getting back to the reports—

Mr. MORGAN. Before we go any further along that line, Mr. Larsen, back to the original question of your purpose in taking these documents home as you did, am I to infer from what you have just told us that your sole purpose in doing so was to gather personality data?

Mr. LARSEN. No, sir; I must correct you there. That would be entirely incorrect, inasmuch as I have said my purpose was partly to take material home and read it and partly to further my knowledge on Chinese personalities, and incidentally the State Department and all the members in the Far East Division did refer to me everything on personalities—"Jimmie Larsen to see," "Jimmie Larsen to comment on this"—so I got everything funneled to me on personalities, and much of it, where I had time, I would just make a note of in the office, or answer it right there: "This is wrong. This man was not vice minister that year, so he could not have been a member of this or that."

Therefore my purpose was partly official and correct procedure in taking material home and reading it, and partly a pursuance of a private hobby which I admit constitutes a type of irregularity, and to a certain extent an indiscretion, on my part.

Do you think I have answered that properly? You are free to ask me more specifically.

Mr. MORGAN. In transporting this material from the documents which you took with you home to your cards, you were necessarily abstracting official Government documents; isn't that correct?

Mr. LARSEN. Yes, at times. I will tell you, there was very little from my point of view good and valuable information in the official dispatches. I am sorry to say so.

Mr. MORGAN. Backing up for a moment, when you were Chief Analyst in the Far Eastern Division of ONI what was the extent of your access to records of ONI? Was it unlimited, or were you restricted in what you could take?

Mr. LARSEN. No, it wasn't unlimited; only China and Manchuria, and later Korea, and at the very end of my term in ONI I got some on Siam and Indochina. And, as to classification, I was restricted from top-secret reports.

Mr. MORGAN. But you could see all classifications up to top secret?

Mr. LARSEN. I was not supposed to see secret, but then officers brought them to me anyway, because I was on that particular day and night shift that could be called at any time when garbled messages regarding the war in China and certain groups in China came in. Names would be garbled up in records and officers would come in and say "What does this mean?" Well, just like the word "run" here, it would mean "to run" or "Bull Run," a little river, so I often told them, "Take it away; I can't be bothered with it. If it is so secret you can't show it to me, I can't translate it."

Mr. MORGAN. In the State Department did you have comparable access to material, everything up to top secret?

Mr. LARSEN. No, not top secret.

Mr. MORGAN. But you had available all classifications up to top secret?

Mr. LARSEN. Up to and including secret.

Mr. MORGAN. You did take home on occasion documents of a secret classification, is that correct?

Mr. LARSEN. Yes, I did.

Mr. MORGAN. In other words, you freely admit that you took home any type of document that interested you.

Mr. LARSEN. Yes.

Mr. MORGAN. On any occasion that you wished? Is that correct?

Mr. LARSEN. That is right; yes.

Mr. MORGAN. Of course, Mr. Larsen, we have your testimony previously available, but have you at any time indicated that the only documents you have taken home were those relating to personalities?

Mr. LARSEN. Yes.

Mr. MORGAN. You have so testified in the past?

Mr. LARSEN. Yes, that's right.

Mr. MORGAN. Do you want to correct that testimony now?

Mr. LARSEN. No, I don't see any special necessity in correcting that, because, except for the few specific occasions when I had a job to do in the office and it was my official function—when I said that I took home only documents referring to personality material, I meant namely in my rather illegal capacity. Is that clear?

Senator LODGE. In your illegal capacity?

Mr. LARSEN. Yes, that's right; without proper authorization.

Senator LODGE. You took the documents home without proper authorization?

Mr. LARSEN. That's right.

Senator TYDINGS. Who knew that you were taking them home?

Mr. LARSEN. Well—

Senator TYDINGS. Did you ask anybody if you might take these documents home?

Mr. LARSEN. In the State Department?

Senator TYDINGS. Yes.

Mr. LARSEN. No. I had a gold badge. That was sufficient.

Senator TYDINGS. How many were in your office?

Mr. LARSEN. I put them in my brief case quite openly. I did not do it surreptitiously.

Senator TYDINGS. How many were in the office with you?

Mr. LARSEN. There were four or five in that particular office.

Senator TYDINGS. You put them in your brief case and took them home?

Mr. LARSEN. That's right.

Senator TYDINGS. Didn't you realize at the time that was possibly an indiscreet or illegal thing to do?

Mr. LARSEN. No, I did not. Honestly, I did not, because I had that gold badge.

Senator TYDINGS. Was that practice pretty general? Did other people do it?

Mr. LARSEN. Oh, yes.

Senator TYDINGS. How many?

Mr. LARSEN. It seemed to me everyone did that.

Senator TYDINGS. What did they do with them after they got back to their homes, work on them, give them out, or give or bring them back to the Department?

Mr. LARSEN. Work on them.

Senator TYDINGS. Why wasn't it possible to go there and work at night? I mean, back to the Department.

Mr. LARSEN. I would like to answer that question. If I have to answer it on quite a personal basis, please see no offense in my answer. I don't like the practice of going back to the office myself.

Senator TYDINGS. I will say this; I am sorry, Mr. Morgan, I interrupted you, because I think one of us ought to take a crack at a time. I got off on a tangent.

Senator LODGE. I would like to get the answer as to why he doesn't like going back to the office.

Mr. LARSEN. I am a family man. When I get home I love to be home. I hope that will satisfy you.

Senator GREEN. May I ask a question, please? I wish you would explain to us what this gold badge signified, who gave it to you, and what the conditions of its use were.

Mr. LARSEN. So far as I know, the gold badge signifies that the wearer is not of the classification "clerical"; that he is an officer in the State Department, and that he has the right to handle documents and take them in brief cases to other departments. There was such a thing as liaison, too, and to receive from other departments documents, and freely go to the file and apply for documents.

Senator GREEN. Was this all told to you or given to you in written instructions?

Mr. LARSEN. There are regulations. I have seen those regulations. I cannot remember them now.

Senator GREEN. It was all in the regulations?

Mr. LARSEN. Yes; it was in the regulations.

Senator GREEN. Was this badge something you wore openly?

Mr. LARSEN. Yes. It was generally worn in the lapel here.

Senator LODGE. Mr. Chairman, just one or two questions, just to orient me. How old are you, Mr. Larsen?

Mr. LARSEN. I am 52.

Senator LODGE. Where were you born?

Mr. LARSEN. I was born in San Rafael, Calif.

Senator LODGE. How did you happen to find out about the Far East? Did you go and live there?

Mr. LARSEN. My father went out to China when I was about 9 years old. My father lost everything in the San Francisco earthquake. We lived in Berkeley, right across the bay, and he went out to

west China. As a matter of fact there are the elements of a very deep conspiracy between Mr. Service and me, because we grew up in the same town. I first met Mr. Service, I think, in 1909—1908 or 1909—when we were flooded out of our house, and then we fled across the street to higher land and there Mr. Robert Service was living with his family. He was American chief of the YMCA there. At that time I must have been, oh, about 11 or 12 years old.

Senator TYDINGS. Are you getting the answer to what you want in all this?

Senator LODGE. I didn't ask you about Mr. Service. I don't even know Mr. Service. I wanted to know your background. You lived in China at what age?

Mr. LARSEN. From the age of 8 or 9.

Senator LODGE. Until 1935?

Mr. LARSEN. Until 1935. I lived 24 years in China.

Senator LODGE. In 1935 you went to work for the Government?

Mr. LARSEN. I came home here and first went to the University of Chicago. I took Sanskrit so as to be able to read Chinese Buddhist texts. I was the only pupil who took the whole course in 3½ months. Then I came to Washington.

Senator LODGE. When you were in China were you there as a student, were you working, or what?

Mr. LARSEN. I was working. As a boy I went to a Chinese school.

Senator LODGE. When you grew up what did you do?

Mr. LARSEN. When I grew up I was with the Chinese postal administration.

Senator LODGE. Thank you. I wanted to get that clear.

Senator GREEN. I would like to ask you more about this gold badge. I don't quite understand. Were there any regulations as to your removing documents? I don't mean you individually, but generally.

Mr. LARSEN. Not that I know of, in regard to regulations that forbade the removal of documents at the same time as the regulations permitted the removal of documents. I do not know of any contrary regulations.

Senator GREEN. Do you mean there were regulations that permitted removal?

Mr. LARSEN. Yes; under the gold badge.

Senator GREEN. Were you obliged to make any memorandum of what you took, leave a note of it or anything of that kind?

Mr. LARSEN. No. You could never remove an original anyway. You could never remove an original. That is pretty well sewed up tight.

Senator GREEN. You did not remove any originals?

Mr. LARSEN. No. The original comes to you and a man stands and looks at you while you read it, and you have to sign the time you start reading and the time you end the reading, and you are watched all the time, and they were suspicious. If it was an ordinary report it didn't matter much, but when it was a pretty important report they didn't even like you to take a note or two, as I did once in a while. I took a note. For instance, a new briefing, say, like after the Cairo Conference. I put down some notes of what had been decided.

Senator GREEN. When you took a paper out of the file you didn't leave any memorandum that you had taken it?

Mr. LARSEN. No, because it was a copy assigned to me. That copy was sent to me and marked. "For file. Retain or destroy."

Senator GREEN. Was your name on it?

Mr. LARSEN. Oh, yea.

Senator GREEN. On every paper you took, then?

Mr. LARSEN. Every paper that came to me always had a little clip and a little piece of paper marked "Mr. E. S. Larsen," Senator.

Senator GREEN. And it was only such papers that you took?

Mr. LARSEN. Oh, yea.

I see what you mean. I never surreptitiously stole any from anybody else's desk.

Senator GREEN. I just wanted to ask about the regulations. That was all I was asking. And you were allowed to take all those papers in your own name out and bring them back again? Did anyone know whether they had been taken or not?

Mr. LARSEN. Oh, yes.

Senator GREEN. How could they know?

Mr. LARSEN. They could see me when I stuffed them in my brief case.

Senator GREEN. They wouldn't know what you had taken.

Did anyone else have access to your files?

Mr. LARSEN. We all shared the office together. I organized those files.

Senator GREEN. Suppose you wanted to use a certain paper and you went to the files and it wasn't there.

Mr. LARSEN. There was a file copy that was there, and they checked the file. That is the thing that hasn't been brought out. The file was very thoroughly checked after I left the State Department, because when a document comes in, let's say a report from Mr. John Service in the field that Chou En Li has made an agreement with Chiang Kai-shek. There is one copy for the file. The original has already gone to the general State Department file. The next one goes to the research and planning unit file. The third one goes to Mr. Larsen, the fourth goes to Mr. Jocelyn, the fifth to Mr. Jocelyn's clerk. There are sometimes six or seven that came to the desk.

Senator GREEN. And each one had a name attached?

Mr. LARSEN. Sometimes they sent two or three marked "Extra. Extra. Destroy or retain."

Senator GREEN. Were these files in the names of the persons whose names appeared on them?

Mr. LARSEN. No. They were for them to work with them and copy certain sections.

Senator GREEN. How were they indexed?

Mr. LARSEN. So far as I was concerned?

Senator GREEN. No. What drawer did you put them in? Under what head did you put them?

Mr. LARSEN. They didn't put them in any drawer. I was chief of the files there.

Senator GREEN. How did you file them?

Mr. LARSEN. There was a girl there who sifted everything that came to the planning and research unit, and she took the one marked "File copy" and put in a book "File copy, such and such a subject, date, number," and everything, and that book was like an account book.

You could take that book any time and open the drawers, and the files had better be there.

Senator GREEN. Suppose they weren't.

Mr. LARSEN. Then there would have to be a card marked "Taken by Dr. Blakeslee."

Senator GREEN. That is what I was trying to get out of you. I have been trying now for 5 minutes.

Mr. LARSEN. Yes.

Senator TYDINGS. Try to make your answers a little more responsive.

Senator GREEN. I was asking you, if you went to look for a certain paper and it wasn't there, how would you know where it was and what happened to it?

Mr. LARSEN. There was a loan card in the file.

Senator GREEN. Then did you put a loan card—now I am getting to my question—in the file for every paper you took out?

Mr. LARSEN. Oh, yes. Everybody had to. Otherwise it would be impossible to keep track of them.

Senator GREEN. And when you brought the paper back the next day you took the loan card out?

Mr. LARSEN. That's right.

Senator GREEN. And you could do that without any supervision? Did you do it yourself?

Mr. LARSEN. I was not the only one who did. Dr. Blakeslee did it, Dr. Borton, Mr. Jocelyn.

Senator GREEN. On this loan card there appeared your name?

Mr. LARSEN. No. That was the laxity of the system in there. Mr. Feary would just go in and search in the file. If he couldn't find it, he would ask me, "Jimmie, what did you put that report under?"

I said, "I put that under 'New Treaties and Foreign Relations.'"

All right; then he would go in, fumble around; if he found it, he would take a card and put in "Bob Feary" and put the number on it. If he couldn't find it, if instead he found a card saying "Taken out by Blakeslee", then he would just go into Blakeslee's office and ask him, "May I borrow that report for a minute" and take it and read it.

Senator GREEN. If you would only stick to the subject for a minute or two, I don't want to detain you, but at the same time I don't understand. There is a paper in this file and you decide you want to take it home to use tonight.

Mr. LARSEN. Yes.

Senator GREEN. You take that paper out and put in a loan card with your name. That shows that paper was taken out by you.

Mr. LARSEN. Yes. I follow you, sir.

Senator GREEN. Then when you come back the next morning and bring the paper you put that back where it came from and you take out the loan card?

Mr. LARSEN. I never took any files home from the filing cabinet and put any cards in. I took home extra copies that were sent to my desk.

Senator GREEN. I am talking about the extra copies.

Mr. LARSEN. There was no record of the extra copies—never any record.

Senator GREEN. Then you didn't do all this.

Mr. LARSEN. Yes, when I worked in the office.

Senator GREEN. I am talking about taking papers home. You knew I was doing that, because I asked about putting them back the next morning.

Mr. LARSEN. I thought you were talking about the general practice.

Senator GREEN. You told about always taking out the card when you took the paper home. Then I said, "Did you put the loan card back when you brought the paper back the next morning?"

Mr. LARSEN. Yes, if I had no extra copy, but I nearly always had too many extra copies.

Senator GREEN. You evidently don't want to answer.

Mr. LARSEN. I am willing to answer that question, because it is an important point. I am not here to conceal anything.

Senator GREEN. Then kindly make it clear. With regard to the things that you took home, did you put any loan card in the file when you took them home?

Mr. LARSEN. I may have done that on one or two occasions, but I didn't have to ordinarily because I had so many extra copies.

Mr. MORGAN. Mr. Larsen, hundreds of documents were found at your home. I see you say you did it on two or three occasions. Manifestly you did not do it on the occasion of—

Mr. LARSEN. I worked 9 years in Naval Intelligence and I wrote a fortnightly report, general report on conditions in the Far Eastern field, as an analyst. Just add that up by simple arithmetic, how many I wrote in 9 years. I wrote on specific subjects, especially voluntary subjects. I wrote on military geography on one after the other of the 24 provinces in China proper. I wrote voluntarily on the various political groups and their affiliations and the effect upon their relations to the United States Government, and on many of those subjects I gathered material that I knew I could not get hold of if I ever wanted to write on it again, so the best thing was to retain a copy, and I took copies of those home. If I had 142, as the record says, that is not much for a period of 9 years.

Mr. MORGAN. You are talking now about documents you prepared, and that manifestly bore your name.

Mr. LARSEN. I am telling you the story I have of what you asked me, the documents I had in my home.

Mr. MORGAN. We have those documents available, Mr. Larsen, and before the afternoon is over I want to go through some of them.

Mr. LARSEN. Will you correct your statement of hundreds to 142, I think I said?

Mr. MORGAN. If that is the proper correction, I certainly would be the first to say it should be corrected.

Mr. LARSEN. We will try to be a little accurate, if possible.

Mr. MORGAN. You have made reference to documents you prepared. Are you implying at this point that there were not other documents found at your home, other than those which you had prepared?

Mr. LARSEN. Oh, no. There were other documents, but they were of more recent date, that I had taken home to read, and I hadn't gotten around to yet, and they had not gotten back yet.

Senator TYDINGS. How many were in that latter category?

Mr. LARSEN. That is difficult to say now.

Senator TYDINGS. Could you give a guess?

Mr. LARSEN. I would say 20. That would be a great lot, I think.

Mr. MORGAN. You would say 20?

Mr. LARSEN. I can't stick to it; I can't swear to it.

Senator TYDINGS. Earlier in your testimony you indicated you took those documents home for overnight reading. Am I now to understand you retained them for a period of time?

Mr. LARSEN. Some of them I intended to retain as long as I was in the Government.

Mr. MORGAN. Even though they were not documents you prepared?

Mr. LARSEN. No; only those I prepared.

Mr. MORGAN. And these others you took home for what purpose?

Mr. LARSEN. For reading and returning.

Senator GREEN. Now will you tell me about those documents. Did you put loan cards in for all those?

Mr. LARSEN. No, sir.

Senator GREEN. Why not?

Mr. LARSEN. Because half a dozen were sent to me, very generously, "Retain or destroy," and I thought, Here is a hobby I have been working on. I will retain one for my own files. Everybody did that in the Government.

Senator GREEN. You appropriated it?

Mr. LARSEN. I appropriated it, yes, sir.

Senator GREEN. That was not true of all of them. Some of them you intended to return, did you not?

Mr. LARSEN. Yes, I did. That's right.

Senator GREEN. For those you took out and kept a night or two nights and then put back, did you put a loan card in?

Mr. LARSEN. If there were not extra copies I had to put a loan card in, because I might get sick Monday morning and my chief wouldn't be able to find the document. I kept a good record.

Senator GREEN. That is the trouble. That is the reason I am asking you whether you put a loan card in for those documents.

Mr. LARSEN. Oh, yes.

Senator GREEN. And then you took the loan card out when you brought the document back?

Mr. LARSEN. And I am proud to say after I left the State Department—am I on trial here? Then I have to state these things.

Senator GREEN. I want you to make clear what you did.

Mr. LARSEN. Yes.

Senator GREEN. Then, when you put the document back, you took the loan card out. What did you do with the loan card?

Mr. LARSEN. You put a pencil mark through that. It has a great many columns, so you can use it again, for economy's sake.

Senator GREEN. Did you leave it there?

Mr. LARSEN. Yes. They were lying on top of the cabinet.

Senator GREEN. What was it you put the line through?

Mr. LARSEN. You put the line through the entry. If you had a card which said, in tabular form, "Dispatch No. so and so, date, taken by so-and-so" you filled that out.

Senator GREEN. And unless there were more than one duplicate copy, you always made out a loan card?

Mr. LARSEN. That's right. I always did, because I set up the filing system.

Senator GREEN. When you came back, did you put the date you brought it back on the loan card?

Mr. LARSEN. I usually did. The others didn't. They usually struck out "out." We could never tell how long it had been out if we wanted to trace it. I always put the date, and even the initials, and then struck it out and laid the card on top.

Senator GREEN. Were there any regulations as to that?

Mr. LARSEN. No. I made that system myself, because there were no regulations when I went in there. There were no locks on the filing cabinets. I took the locks with my own little screwdriver. I asked Dr. Blakeslee, "Let us please get some locks," and I took four locks from the four cabinets in our office downtown and had them made, and I came back, and he initialed the little slip for reimbursement and I got my \$10 back and I installed the locks, and I had three keys made for each. There were no keys on them and there was a lock that didn't work, and I got three keys. I gave one to Mr. Blakeslee, one to Dr. Borton, and kept one myself, and that one key practically all day, when I was in the office, I gave to the filing clerk, the girl who looked after the files.

Senator GREEN. Then at night?

Mr. LARSEN. The last man out was supposed to check the drawers. Whoever that was went around and tested and looked to see that no keys were stuck in there.

Senator GREEN. And the first one in in the morning opened it up again?

Mr. LARSEN. Opened all the cabinets.

Senator GREEN. Then there were three men that were responsible for the contents of those drawers?

Mr. LARSEN. That's right.

Senator GREEN. And only three supposed to have access to them?

Mr. LARSEN. No, all five had access to them. What we called the junior members, they came in and they did not have any keys, but they just used the files freely, whenever they wanted to.

Senator GREEN. But they had to put in a loan card just the same?

Mr. LARSEN. Yes.

Senator GREEN. You established that system of the loan cards?

Mr. LARSEN. Yes.

Senator LODGE. Who did you say hired you, Mr. Larsen?

Mr. LARSEN. In the State Department?

Senator LODGE. Yes.

Mr. LARSEN. I would say it was the Personnel Section.

Senator LODGE. Who was it who made the decision?

Mr. LARSEN. I don't know who it was at that time.

Senator LODGE. You testified that there was somebody who said—

Mr. LARSEN. You mean who recommended me? That was Dr. Stanley K. Hornbeck.

Senator LODGE. He recommended you?

Mr. LARSEN. Yes, sir.

Senator LODGE. His recommendation carried a good deal of weight, do you think?

Mr. LARSEN. He was not the only one. Then, after he had signed my application, I was examined, and Dr. Blakeslee and Dr. Hugh Borton examined me, and they cosigned my final recommendation.

Senator LODGE. Did Mr. Lattimore ever examine you?

Mr. LARSEN. Nobody else examined me.

Senator LODGE. Thank you.

Senator TYDINGS. Mr. Morgan here is prepared, as a result of a great deal of research, to ask a series of questions. I have been chief offender here myself, but I suggest that the committee members let him go through and develop a clean case, and we make our notes and supplement that, if we can.

Senator GREEN. He knows where they are going. My question was just to get clear in my own mind what happened.

Senator TYDINGS. I am not being critical. I am just suggesting it in the interest of expedition. He has the whole thing there to develop. I haven't got it.

Mr. MORGAN. I might say too, for the benefit of Senator Green and Senator Lodge, while you were in Europe the entire proceedings of the Hobbs committee were made public, and we have a great deal of information there that we are trying to avoid duplicating here today.

Mr. LARSEN. May I say one word?

Mr. MORGAN. Certainly.

Mr. LARSEN. I want to say to the chairman and all members that if I seem to get off the track it isn't at all that I am unwilling to answer, because I have already admitted my guilt in respect to indiscretion in the handling of these files, and I welcome very specifically questions and shall try to answer them very correctly.

Mr. MORGAN. The thing that we are seeking here, Mr. Larsen, is to avoid having any matters hanging in the air. At this point one thing occurs to me. For example, your statement earlier that the office was not open for you to return to do your work at night, and then your subsequent statement that your reason for not returning was the fact that you were a family man and preferred to stay at home.

Mr. LARSEN. I did not say that the office was not open. I do not believe it was open. I may be wrong on that. Remember, I was not in the State Department main building. We were in an auxiliary building, namely the Walker-Johnson Building, and the security regulations were a little different there. I remember they shut up, and the receptionist went home at night at about six, although the offices were closed at four-thirty. The receptionist was there until six. I doubt whether you could stay there until after six.

Mr. MORGAN. Let's get back for the moment, and I do want to return to the question of the documents, however, but I would like for you to pick up your association with Mr. Jaffe, and from your initial contact with him give us some idea as to the frequency with which you saw him.

Mr. LARSEN. About once a month.

Mr. MORGAN. From the time of your original meeting until the time of your arrest?

Mr. LARSEN. That is right. There were a few months when he did not come down to Washington at all, but I cannot remember exactly when that was.

Mr. MORGAN. During the period of his absence from the city here in Washington, were you active in preparing material to exchange with him upon his return?

Mr. LARSEN. No, not particularly.

Mr. MORGAN. When he came back to town, what happened at that point? Did he contact you and ask for information?

Mr. LARSEN. He usually called me up by telephone.

Mr. MORGAN. From New York?

Mr. LARSEN. No; he called me up from his hotel in Washington.

Mr. MORGAN. And would tell you what?

Mr. LARSEN. He would tell me, "I am in town. Do you remember the 18 or 20 persons I asked you about last time? Do you have that?" I said, "Oh, yes; I have it."

Mr. MORGAN. We have, of course, available to us, Mr. Larsen, a record submitted by the Federal Bureau of Investigation to the Hobbs committee, of your contacts with Mr. Jaffe.

Mr. LARSEN. That record would give the dates, whereas I don't remember them.

Mr. MORGAN. "Physical surveillance March 21, 1945. Upon Mr. Jaffe's arrival in Washington at noon on the 21st, proceeded to the Statler Hotel, where he was met in the lobby by Emmanuel Larsen, and a short time later was joined by Lieutenant and Mrs. Andrew Roth."

Do you recall that meeting?

Mr. LARSEN. I don't recall it, but I guess it is right. I do recall going to such a meeting, but I don't recall the particular meeting or the date. It is impossible to remember these things. If I would ask you, What did you do on such and such a date 5 years ago?, you wouldn't be able to recall it either.

Mr. MORGAN. Would you care to indicate how many occasions you think you met Jaffe in this period?

Mr. LARSEN. Oh, probably eight times—eight or nine times.

Mr. MORGAN. And who were present on the occasion of these meetings?

Mr. LARSEN. Generally my wife and I; that is, for dinner. We usually went out to a Chinese restaurant and had dinner.

Mr. MORGAN. After this initial meeting at about noon on the 21st of March—

Mr. LARSEN. '45?

Mr. MORGAN. '45, the surveillance of the Federal Bureau of Investigation reveals that "Late in the evening you met with Mr. Jaffe in the lobby of the Statler Hotel." Do you recall that second meeting on the 21st?

Mr. LARSEN. Yes, I think so. I am pretty sure of that.

Mr. MORGAN. On that occasion did you give him information of any kind?

Mr. LARSEN. Yes, I probably gave him 20 or 30 cards.

Mr. MORGAN. Cards, you gave him?

Mr. LARSEN. Yes, cards that I had typed for him.

Mr. MORGAN. Did he give you anything?

Mr. LARSEN. He gave me some notes that he made on Chinese personalities.

Mr. MORGAN. On April 10, 1945, you and Roth had luncheon together at the Trianon Cafe with Mrs. Roth?

Mr. LARSEN. Yes.

Mr. MORGAN. "On leaving the restaurant, Mrs. Roth was observed to be carrying two large manila envelopes."

Mr. LARSEN. I remember the event. I don't remember that she carried manila envelopes. That is nothing new in my life. I carry them every day.

Mr. MORGAN. On April 15, 1945, you were observed meeting with Lieutenant Roth, which brings up this question that has been bruited about somewhat, Mr. Larsen. You indicated at one point, I believe, that after your original meeting with Roth, after he introduced you to Jaffe, he dropped out of the picture.

Mr. LARSEN. He never gave me anything to give to Mr. Jaffe and I never gave him anything from Jaffe to be returned to him.

Mr. MORGAN. When you referred to his having dropped out of the picture, what did you mean?

Mr. LARSEN. That he never mentioned this card exchange that I had been introduced to Jaffe for.

Mr. MORGAN. That does not necessarily mean that you did not have contacts with him after that time?

Mr. LARSEN. Oh, no; I didn't just drop him as an acquaintance.

Mr. MORGAN. Another meeting, on April 18, 1945, between you and Mr. Jaffe. That is 3 days after the April 15 meeting, again in the Statler Hotel. Do you recall that meeting?

Mr. LARSEN. I don't recall it, but I presume it must have been while Mr. Jaffe was still here.

Mr. MORGAN. That was the occasion on which Mr. Jaffe went to your apartment and stayed until about midnight. Do you remember that?

Mr. LARSEN. Yes. He did that on several occasions, more than one occasion.

Mr. MORGAN. What happened at the apartment on that occasion? Did you give him information? Did you give him documents? What did you give him?

Mr. LARSEN. Yes, I did, on a few occasions.

Mr. MORGAN. You gave him documents?

Mr. LARSEN. Yes.

Mr. MORGAN. Classified documents?

Mr. LARSEN. Yes, I believe they were classified. They were personality material. I discussed with him at one time—I remember one particular instance and reported it quite truthfully to the FBI—and in discussing this he brought out a theory which I didn't believe in concerning the personalities, and I argued about it with him and I committed the indiscretion of showing him a document, a very long-winded one. I do not recall at this time who it was about, but it probably concerned Mao Tse-tung or Chou En Li, who was the chief Communist representative in Chungking, and he said, "Well, I would like to make an extract of this," and I told him, "I don't like the idea of that."

He begged me. He said, "This is very important. This has an important bearing on his personality, as to whether he favors this or not," and I did loan him the document for the simple reason that I did not want to, did not feel like sitting right there and going over the whole thing and taking out those pertinent points, and that is the confession that I gave to the Justice Department. I allowed him to take it away, and this happened on a few other occasions, and that is the indiscretion that I referred to when I told you that I am quite willing to tell my part in this business.

Mr. MORGAN. We appreciate your assistance.

Senator TYDINGS. I have asked Mr. Van Buren to come down here on Wednesday. I would like to have a meeting tomorrow at 10:30 in the morning, if that be satisfactory.

Mr. LARSEN. I cannot be here. Would you excuse me?

Senator TYDINGS. We have to have you. All of us are busy men.

Mr. LARSEN. I am starving and I have a job to do.

(Discussion was continued off the record.)

Mr. MORGAN. Having admitted, Mr. Larsen, that you did give to Jaffe copies of classified documents—that you have admitted, correct?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. How many documents would you say that you gave to Mr. Jaffe?

Mr. LARSEN. Well, I estimated at one time eight or ten, of which all were returned except two or three. How did I arrive at that estimate? I arrived at that very recently, namely, before the loyalty board in the State Department the day before yesterday. I was permitted to go over all the copies or photostats of copies of documents found in Mr. Jaffe's office.

Mr. MORGAN. What was that, again?

Mr. LARSEN. All the photostats that were found in Mr. Jaffe's office.

Mr. MORGAN. And where were you permitted to do that?

Mr. LARSEN. Before the State Department Loyalty Board.

Senator TYDINGS. Is that General Snow?

Mr. LARSEN. General Snow, investigating Mr. Service.

Mr. MORGAN. You appeared as a witness before the loyalty board?

Mr. LARSEN. Yes, I appeared as a witness before the loyalty board and, strange to say, although I volunteered to appear before the loyalty board, I was somewhat surprised to find that at the loyalty board where I was to testify regarding Mr. Service, whether I knew him or whether I knew anything bad about him, I was confronted by Mr. Service's attorney. Both Mr. Service and his attorney were permitted to be present at the loyalty board, and Mr. Service's attorney was permitted to cross-question me.

Senator GREEN. That is customary procedure before the loyalty board.

Mr. LARSEN. It is? All right. I made no objections. I am just mentioning it.

The point is that during that cross-questioning I was shown a great number of Mr. Service's reports, and I recognized my writing on two or three of those reports, and I said, "These I remember." I even marked them for Mr. Jaffe: "Note page so and so," and there is my writing on it.

Mr. MORGAN. So there can be no doubt but what you supplied those to Jaffe?

Mr. LARSEN. That's right, and he had not returned them at the time of the arrest, I never gave him any to keep. I want to make that clear. I loaned them to him, just like when you lend \$10 to a man and he doesn't return it, you didn't give him \$10.

Mr. MORGAN. Did he have any documents that he had not returned to you at the time you and he were arrested?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. He did have documents at that time?

Mr. LARSEN. Yes; he did.

Mr. MORGAN. Am I to understand that at the loyalty proceeding you were permitted to see all of the documents found in Jaffe's possession at the time of the raid on the Amerasia headquarters?

Mr. LARSEN. No, sir. I don't think they could have been all of the documents, because they were only, in number, I would say 20 or 30 that they showed to me.

Mr. MORGAN. Did you recognize all of them as documents that you had supplied Jaffe?

Mr. LARSEN. Oh, no, not at all. Some of them I didn't recognize as, category 1, ever having seen; others, in classification 2, as documents that would never have come to me in the ordinary course of my official duties.

Mr. MORGAN. So you saw documents there that you did not supply Jaffe, is that correct?

Mr. LARSEN. Oh, yes; I did.

May I make an amendment to that statement?

Mr. MORGAN. Certainly.

Mr. LARSEN. While I was called to many conferences with the Justice Department in 1945, and even after the case had been settled in court against me in November, on November 2, 1945, I was invited into the Justice Department and I saw two or three stacks of documents on Mr. Hitchcock's desk, and Mr. Hitchcock asked me to look over these documents, and I saw in there documents that would never have come to me, and I saw hundreds—I asked him at that time, "Good God, how many are there here?" and he said, "Well, there must be three or four hundred."

Mr. MORGAN. Did he indicate that those were documents found in Jaffe's quarters or your quarters?

Mr. LARSEN. Jaffe's quarters.

Mr. MORGAN. Is that all that you care to say now?

Mr. LARSEN. Yes, sir; that's all.

Mr. MORGAN. On April 19, the day after the meeting on April 18, according to the FBI surveillance, at 3 p. m. you were observed to enter the Statler Hotel, at which time you were carrying a large, well-filled manila envelope. You met Jaffe in the lobby of the hotel. Jaffe had a brief case in his possession, which he opened while talking with you, and after thumbing through some papers you removed several papers from your manila envelope. Do you recall that occasion?

Mr. LARSEN. I don't recall the details of that occasion.

Mr. MORGAN. Do you recall ever having passed any documents to Jaffe in the lobby of the Statler Hotel?

Mr. LARSEN. No, sir.

Mr. MORGAN. You never did?

Mr. LARSEN. No, sir; I don't recall ever doing that. To the best of my knowledge and memory, I do not recall that.

Mr. MORGAN. And if the surveillance indicated that that was the case, that would not be right?

Mr. LARSEN. I do not even recall passing to him any cards, except on one occasion, in the lobby of the Statler.

Mr. MORGAN. Is your answer that you don't remember or that you did not pass them?

Mr. LARSEN. I do not remember that specific occasion.

Mr. MORGAN. All right.

Again, on April 20, and this is 3 days running, you were observed to enter the Statler Hotel where you again met Philip Jaffe. You had dinner with Jaffe at the Cafe Cathay in company with Lt. Comdr. Charles Nelson Spinx and Dr. Joseph Goldstein. Do you remember?

Mr. LARSEN. That's right.

Mr. MORGAN. Did you pass any documents to Mr. Jaffe on that occasion?

Mr. LARSEN. No, sir.

Mr. MORGAN. Do you remember anything about the nature of that meeting?

Mr. LARSEN. Oh, yes; I do.

Mr. MORGAN. What is the story?

Mr. LARSEN. My wife and I refreshed our memories on that when we read that report, and I can tell you what was passed at that meeting.

Dr. Goldstein employed a girl in his office, Eleanor something, and she was an expert in drawing greeting cards, these little sketches that go on greeting cards, and we had told Dr. Goldstein, or told Mr. Jaffe about Dr. Goldstein's girl, office girl, who could really draw greeting cards, and Philip Jaffe has a greeting card business, and we were trying to get her a part-time job supplying these sketches for his greeting card company, and she brought along her little folder, and if you will ask the FBI for a correct report on that meeting I am sure you will find that she sat there with a little folder and showed the greeting cards that she had drawn.

Jaffe, however, did not like her stuff, and was very polite to her, but told us afterwards it was very amateurish. That is the explanation of that.

Mr. MORGAN. Again, on May 7, 1945, you were observed meeting Mr. Jaffe in the Statler Hotel along with Lieutenant Roth. Do you recall that meeting?

Mr. LARSEN. 1945?

Mr. MORGAN. Yes, May 7. You were both carrying, according to the surveillance, manila envelopes, and you left the hotel and neither of you had any envelopes.

Mr. LARSEN. That might be approximately the last day, the last time I ever met Mr. Jaffe before the arrests. I cannot be sure of that date, because I kept no record of it.

Mr. MORGAN. On the very next day you were observed meeting Mr. Jaffe again in the afternoon in the lobby of the Statler Hotel.

Mr. LARSEN. Was Mr. Service there?

Mr. MORGAN. According to the report—I will read the surveillance to you [reading]:

At noon on May 8, 1945, Roth was observed to visit Jaffe at the Statler Hotel. When he entered he was carrying a large manila envelope. He remained for approximately 2 hours. Later that afternoon Larsen met with Jaffe in the lobby of the hotel, and after a very brief conversation Larsen departed and Jaffe was immediately joined by Roth and his wife, John Service, and Rose Yardoumian.

Do you recall that meeting?

Mr. LARSEN. No, I don't recall that meeting, but I am sure it is right, that I did meet him in the lobby, because there was another occasion in May before the last arrest.

Mr. MORGAN. The FBI surveillance report reflects that on May 28, 1945, Jaffe again visited Washington and was met at the Statler Hotel by you and Lieutenant Roth. Do you recall that meeting?

Mr. LARSEN. That is the one I refer to.

Mr. MORGAN. You were again carrying a large manila envelope. Roth carried a parcel 12 by 14 inches and 1 inch thick, as well as some loose typewritten papers. Do you remember seeing any of Roth's papers at any time?

Mr. LARSEN. No, sir. I never saw him hand anything to Jaffe. Only on one occasion did Roth hand me anything in an envelope that might have aroused suspicion. He was writing a book, and I think he gave me 20 or 30 pages of that part, that chapter, that concerned Japanese relations with China, and I looked over it and I thought it was very ludicrous and poorly written. He has never been in China or Japan, and I did not make any written comments. I returned it to him and said, "Well, I don't agree with it," because it was a very peculiar ideological nature that I did not subscribe to.

Mr. MORGAN. What are you trying to say by that?

Mr. LARSEN. I am trying to say that we did meet. There is a record in there where they watched him come to the Walker-Johnson Building and stand outside there and hand me something. I think that was the occasion when he handed me the 20 pages of his book, and I was to take them down to Manassas to the little farm I had there and read them over the week end, and see whether it was correct or good or not. That was the galley copies, so far as I remember.

Mr. MORGAN. On the occasion of this May 28 meeting with Jaffe in his room, it is indicated you spent about 2 hours in his room with Jaffe. Do you remember that?

Mr. LARSEN. Yes.

Mr. MORGAN. Did you exchange documents at that time?

Mr. LARSEN. I don't think we exchanged any documents. I possibly brought him the last lot of cards that I had made for him.

Mr. MORGAN. Then, on the very following day, May 29, the surveillance reflects that you again met with Mr. Jaffe, at which time you had with you a large manila envelope. Do you remember having passed any documents to him on that occasion?

Mr. LARSEN. No, I don't remember any large manila envelope, either, but I do remember a small manila envelope. I don't wish to quibble, but there is a point in that.

Mr. MORGAN. At any rate, on May 29, which was approximately 8 or 9 days before your arrest, you did meet with Mr. Jaffe here in Washington at the Statler Hotel, according to the FBI surveillance.

Mr. LARSEN. Yes.

Mr. MORGAN. Now, as to the occasion of your being arrested by agents of the Federal Bureau of Investigation, Mr. Larsen, I believe we have the record of that rather clearly in our proceedings here. I would, however, appreciate your indicating for our record who your attorney was in that proceeding.

Mr. LARSEN. Mr. Arthur Hilland.

Mr. MORGAN. An attorney here in Washington, D. C.?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. He is the one who filed on your behalf a motion to quash, a motion to suppress the evidence in the proceeding, is that right?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. We have heard testimony concerning the nature of that motion, and I don't believe at any point you have yet indicated in

any proceeding how you became acquainted with the circumstances that were set forth in the affidavit attached to that motion. Would you care to enlighten us at this point?

Mr. LARSEN. Yes, sir. The first indication that my apartment had been illegally entered was during the evening of June 6, when—

Senator LODGE. What year?

Mr. LARSEN. 1945, when the FBI men came to my apartment. They knocked on the door, and they asked me, "Are you Emmanuel Larsen?"

I said, "Yes."

They said, "You are under arrest," and I said to them, "It must be a joke," and they said, "No, it is not a joke," and they showed FBI credentials. Then they asked me whether I had any official material in the way of dispatches, Government documents, in my house, and I said "Yes, I had."

They said, "Will you show them to us?"

I said, "Let's just get it straight. Is it right that I show it to you?" They said, "Oh, yes; we have these badges."

So I said, "Do you have a search warrant?"; and they said "No." Then I said, "And what am I under arrest for?"

They said, "We will tell you that later." So all right. I looked at my wife and I said, "In a case like this there is only one thing to do. Tell them the truth." And they began to separate her; they took her out on the porch and took me into the deeper recesses of our small apartment, and as we parted I said, "Remember this: Nothing much can happen if we stick to the truth. There can be no contradiction, no contradictory reports."

Then he said, "Where are the documents?", and I took him first to a steel cabinet that I had in the large closet between the living room and the dining room, and I opened and took out, and I had in various folders, "Read; finished work to be returned"; I had some marked "Outstanding," "Work file," and "Suspense," and clips with papers on them, "Read to page 8; personality material not entered yet." That means not entered on my card, and such references. So they went into the question of why I took these files, and so on, very thoroughly.

Then they said, "Do you have any more?"

I said, "I have a few more," and I went to my own clothes closet, a very small closet in the bedroom, and that has two shelves at the top, and I had some files stuck up on the shelves; and while these two investigators, namely, Mr. Winterrowd and Mr. Zander, were questioning me about files and asking me to take down the manila file covers with those files in, one said to the other, "What is in that brown leather case?"

He whispered it in a very low voice, and I am rather hard of hearing, especially in my right ear, because I had a boil there some years ago and I don't hear very well, but as fate would have it, I heard very clearly both the question and the answer to that.

The answer by Mr. Winterrowd was, "That's a vase."

Now, what vase was that? My father bought in 1909 a very rare black and white vase in China, and he since then presented it to me, and I sent it to Henry Ford once and he offered me \$5,000 and I held out for \$10,000. We still have the vase. I had that in an old hat box that my father originally had his top hat in when I was a boy.

The top hat is long gone, and the case has reposed in a leather box since 1909. Now it was on my shelf, and now these two men stood behind me and spoke about it, one saying, "What is in that box?" and the other saying, "That is a vase." He whispered it to the other man.

I stopped dead in my tracks and I thought to myself, "What is going on here? They know what is in closed boxes in my house." But that was no time to follow through that thought or any legalistic argument with them about it. Remember, gentlemen, my whole world, so to speak, had tumbled down over me that moment, and I proceeded with the answers to all their questions and ignored the question of the vase.

Then later, when I had made my confession to the FBI and I heard that they had considerable evidence on me and my relations with Jaffe, I thought, "So what? It's all right." But someone told me, "They have tapped your 'phone." Then I acted on a hunch, purely a hunch, and a little bit of bluff that I learned since I came home to this country, and I went down to the manager of the apartment house, Mr. Sager, who was a pretty good friend of mine. He did many little favors for us, but he always exacted a little price for every favor. He loved Southern Comfort. Whenever I wanted the house redecorated or the apartment fixed up a little, it cost me a quart of Southern Comfort.

So I went out and, broke as I was, I bought a bottle of Southern Comfort and then went down to Mr. Sager, and I said, "I have owed you this from last time."

We sat around, opened it, had a drink, and I said, "Say, Sager, how many times did you let those FBI men in here?"

He said, "Oh, do you know about that?"

I said, "Sure I know about it."

Then he told me the specific occasions, and he looked up his little record, and he told me what they said and what they asked, and he told me how they wired the 'phone and wire tapped on me for how many months.

As soon as I had that, I called my attorney, Mr. Hilland. I acquainted him in detail with the story, and he immediately made that motion. It took us a couple of days, and when it was ready we went down and filed it, and it happened on that day that it was filed that we had another consultation with Mr. Hitchcock, of the Justice Department.

Senator McMAHON. Were you with the attorney, when you filed it, that went to the courthouse and filed it personally?

Mr. LARSEN. I was in his office, and I signed it, and I think I went down with him.

Senator McMAHON. Did some newspaper reporters go with you when you filed it?

Mr. LARSEN. No, sir; I don't remember any newspaper reporters.

Of course, one thing that I have always maintained that has been in my defense as regards the accusation that I conspired with the other five members is that I did not tell Mr. Jaffe, I did not tell Mr. Service or Miss Mitchell or anyone else, that I had filed that. Why? Because I had nothing to do with them in regard to the defense.

The very first day when I was arrested I was handcuffed to Mr. Service, and when we sat down in the marshal's car and we were on

our way to the District Jail at about 4 o'clock in the morning, after all-night grilling without counsel, I said to him, "What the hell is all this about?" in Chinese.

He said, "Shut up," in very, very rude—we don't swear like that in Chinese. It doesn't sound very rude in English, but it is awfully bad in Chinese. So we went to the jail. He never spoke to me, never looked at me. Afterward I told Hilland, "What is this case?"

He said, "Espionage."

I said, "Let's get together. Ask Jaffe, what did he do? Whom has he been trafficking with. Let's ask Roth's attorneys."

They did not want to have anything to do with us.

Furthermore, Mr. Mortimer Graves, of the American Council of Learned Societies, invited me over and said, "You don't have a job, Jimmie. Why don't you do a little research work for the council? I will do everything I can for you. I will give you \$75 at least for the first week's job."

On the third day he called me in and said, "Jimmie, I have bad news for you. The State Department employees of the Foreign Service have taken up a little collection." As far as I remember he said it amounted to about \$5,000. "But I have the bad news that you are not to participate in that. You are not to benefit from that defense fund."

I said, "Then it goes only to Service."

He said, "I presume so."

Also, I was never invited to Mr. Lattimore's house in Baltimore. That is another item to record in the process of my proving that I had nothing to do with them in the defense or in the general discussion of the defense.

Senator LODGE. The defense of what?

Mr. LARSEN. The defense of the Amerasia case after our arrest.

Senator GREEN. How did you know that there was anything to be invited to?

Mr. LARSEN. I read it in the papers recently.

Senator GREEN. You just learned the fact that you were omitted from these meetings?

Mr. LARSEN. I do not know Mr. Lattimore. I know of him—plenty—but I don't know him. I don't believe I have ever shaken hands with him.

Senator GREEN. Is that all you know about it, what you read in the papers?

Mr. LARSEN. Yes, sir; that is all, except perhaps an item picked up from a few persons who told me about a professor being present at that Lattimore barbecue, and that the professor's wife brought the baby along because they had no baby sitter, and that the wife placed the baby in an upstairs bedroom, and that during the party Mr. Lattimore disappeared upstairs and Mr. Service disappeared upstairs and Mr. Roth disappeared upstairs, and the lady went up to see how her baby was faring and she went into the wrong bedroom, according to this person who told me the story.

Mr. MORGAN. Who told you the story?

Mr. LARSEN. The man I just talked to right out here, Kent Hunter.

Senator LODGE. He is a reporter, a newspaperman.

Senator GREEN. How did he know about it?

Mr. LARSEN. I don't know. He has been snooping, I believe.

Senator GREEN. Didn't you ask him?

Mr. LARSEN. I did ask him, but he didn't tell me.

Senator LODGE. What is his address?

Mr. LARSEN. I have his card here.

Moreover, when she broke into that wrong room there were documents spread all over the bed, and Lattimore said, "What the devil are you doing in here?"

Mr. MORGAN. You are telling us what Mr. Hunter told you?

Mr. LARSEN. Yes. I am just describing the meeting as it has been described to me.

Senator GREEN. How did you know Hunter?

Mr. LARSEN. I met him in Mr. Dondero's office, George A. Dondero, of Michigan.

Senator GREEN. How did he happen to tell you this?

Mr. LARSEN. Mr. Dondero invited me over to his office, and when I got over there he told me, "My purpose is to bring you to Senator Wherry and you can tell Mr. Wherry anything you know about Lattimore."

Senator LODGE. What was the date of this conversation?

Mr. LARSEN. About May 1.

Senator LODGE. Of this year?

Mr. LARSEN. Yes.

I said I didn't know anything about Lattimore—"I'm sorry I can't help you."

He said, "Do you know Mr. Kent Hunter?"

I said, "No; I am glad to meet you," and we sat down, and he asked me a few things, like everybody has asked me about any involvement in the Amerasia case.

He said, "Why were you not at that party?"

I said, "Do you mean that one we read about in the paper?"

He said, "Yes."

I said, "The only answer is that I am apparently not persona grata with that group. Anyway, I was not invited."

Senator GREEN. What was the occasion of his telling you all this?

Mr. LARSEN. Then he wanted to know whether I knew about it. I didn't know, and he explained the whole story to me.

Senator GREEN. What else did he say?

Mr. LARSEN. Nothing else, as far as I remember.

Senator GREEN. What did he say further about seeing Senator Wherry?

Mr. LARSEN. That was Congressman Dondero who asked me to go over to see Senator Wherry. Then I said good-by to Kent Hunter, and I walked over to the Capitol, and we walked still further to the Senate Building, and I saw Mr. Wherry, and Mr. Wherry merely asked me whether I knew Mr. Lattimore, and I told him that I honestly didn't know him.

Senator GREEN. Did you tell him this story that you had heard from Mr. Kent Hunter?

Mr. LARSEN. No; I didn't.

Senator GREEN. Did he know about it?

Mr. LARSEN. I don't know. We didn't get on the subject at all.

Senator GREEN. How long did the conference last?

Mr. LARSEN. It lasted only, say, 10 or 15 minutes.

Senator GREEN. And he didn't ask you to do anything or get any information or anything else?

Mr. LARSEN. He said he would send for me again, but he hasn't sent for me. I told him that I had been called by Senator McCarthy—that is what our conversation hinged on—on March 18, and he asked me, "How did you get along?"

I said, "I had some difficulty at McCarthy's place."

He said, "What was it?"

I said, "Mc. McCarthy is a very busy man, with many phone calls, and we didn't get around to a proper discussion. He would ask me a question, then he would have an interruption, so he turned me over to a young man by the name of Don Surene."

Senator GREEN. Why, Wherry?

Mr. LARSON. No; Mr. McCarthy turned me over on March 18, and this was the story I was telling Mr. Wherry on May 1. I went downstairs to room 5-A.

Senator GREEN. After seeing Senator Wherry?

Mr. LARSEN. No; before seeing him. That was on March 18. I went downstairs with Mr. Don Surine, an investigator of Mr. McCarthy's, and there I got into a little bit of a hot dispute with Mr. Don Surine just after he had started to question me.

He had a list of questions, and he got no further than, "How did you get involved in the spy case" or "the Amerasia espionage case?" and I objected. I said I preferred to have it known as the Amerasia leakage of information, or stolen documents, case, rather than the spy case.

He said, "But you wrote an article in Plain Talk."

I said I objected to Mr. Don Levine's labeling that story "The State Department Espionage Case." I said "If you put 'espionage' in, for goodness' sake put it in quotation marks, because I would be a fool to call it an espionage case when I do not know and claim that I certainly know nothing about espionage, and I have yet to see the Government prove any espionage in it."

Then Mr. Surine got up and pointed his finger at me: "Are you defending Amerasia?"

I said, "No, sir; I am defending myself. I am sorry to say, in spite of double jeopardy, I still have to defend myself. And now I think I will be going."

Then the phone rang, and I could clearly understand that Mr. McCarthy was on the phone, and I also could very well conjecture that Mr. McCarthy had had a little recording device upstairs and had heard every word that had been said and was now calling Mr. Surine to tell him "The heck with that questioning of Larsen. He is going to be no good to us."

Mr. MORGAN. That is a personal conjecture?

Mr. LARSEN. That is personal and purely a conjecture, because then Mr. Surine promptly said to me: "Yes; you can go. I have to go, too." And he never sent for me again.

Senator GREEN. Have you any other reason for suspecting that there were any hearing devices used?

Mr. LARSEN. Yes; I have another reason.

Senator GREEN. What was it?

Mr. LARSEN. When I first went into Mr. McCarthy's office, I sat in the front room and waited. My appointment was for 5 o'clock

sharp, and I sat and waited and I heard Mr. McCarthy in there, saw them come and go, and they could very well have called me in, since it was not an official hearing, at 10 minutes to 5, 5 minutes to 5, or 3 minutes or 1 minute to 5, but they didn't. They waited until exactly 5 o'clock.

One man stood at the door. The door was open to his office. I sat with my back to that wall. He stopped and watched me and watched the clock, and at 5 he went over and took me and brought me in and he said, "This is Mr. Larsen. Mr. Larsen, this is Senator McCarthy."

Then I said, "How do you do? I am very glad to meet you, Senator."

Then he said, "Sit down and tell me what you know about the Amerasia espionage case."

I thought to myself, "It is very formal, and I have a feeling that something is being recorded around here." There was no one with a pad or no one with a machine like this here, but I was pretty sure. I had a hunch. I may be wrong.

Senator GREEN. That is all?

Mr. LARSEN. That is all.

Senator GREEN. Then you were questioned by two, Senator McCarthy and Senator Wherry.

Mr. LARSEN. That's right.

Senator GREEN. About your knowledge of the case. Were you questioned by anyone else?

Mr. LARSEN. Yes; Senator Ferguson.

Senator GREEN. Tell us about that.

Mr. LARSEN. I cannot remember the date, but it must have been May 20. If I could see a calendar, I could probably identify it.

Senator GREEN. Was it after or before these other talks?

Mr. LARSEN. It was after the last one. That was the 26th. No; it couldn't be. It was the Saturday before, the 20th of May. That would be the closest to it.

Senator GREEN. What day of the week?

Mr. LARSEN. A Saturday.

Senator GREEN. How did you happen to see Senator Ferguson?

Mr. LARSEN. He sent for me. His secretary, whom I don't know, a Mr. Reed, telephoned my apartment and said, "My name is Reed, and Senator Ferguson is very much interested in the case and wonders whether you would voluntarily come up and see him," and I told him, "I have been asked to come voluntarily to a great many people and I am, frankly, sick and tired of it, but, lest I be thought to be hiding from any inquiry, I will come. But may I come on my own time? That is, at my own convenience, because I am doing little jobs now, and I would like to get my work done and then come in."

He said, "Come at 3 p. m. on Saturday, the 20th." I am pretty sure that was the date. And I went up there, and Mr. Ferguson was extremely nice to me and he asked me exactly the same questions as Mr. Morgan asked me. "But tell me honestly, did you or did you not give Jaffe any documents?"

I told him "That's the trouble; I did give him some. I did lend him some, and I have gone through hell for it, too." But I did not conspire and I did not associate with the group. I did not know Mr. Gayn at all. I never spoke one word to Mr. Service concerning Jaffe

or regarding documents, and I made it clear to him that I had met Mr. Service only on three occasions: One, when I was ten years old and he was 6 months old. We couldn't have conspired. Second, when my boss in the State Department, Mr. Ballantine, who is now with Brookings Institution, introduced me to him after a meeting. He said, "Larsen, do you know Service?"

I said, "I am glad to meet you. I have read many of your reports." I didn't tell him that I didn't like his reports too much. That was all.

Third, when Mr. John Carter Vincent sent me a note one day and said, "Would you like to go to lunch with me?" That was about the middle of April 1945. Service had just returned from China, and when I went to Mr. Vincent's office he was then chief of the Chinese desk. Then I saw Mr. Service there, and as far as I remember, the three of us walked together to the Tally Ho Restaurant. There was one other person. I cannot remember whether it was Mr. Emerson or who it was, but there were four of us all together.

Mr. MORGAN. You mean you never did see Service on any of the occasions that you met Jaffe?

Mr. LARSEN. Yes, I did once. I will tell you about that later.

Senator GREEN. That makes another.

Mr. LARSEN. Then we walked to the Tally Ho Restaurant, and got our trays, and when we sat down, Mr. Vincent started to discuss ways and means of getting rid of Hurley as Ambassador to China. He said he had made an ass of himself and he was not the man, and the up and coming political group in China was the Communist Party, the so-called Communist Party, and Mr. Service made a few small remarks and Vincent asked me, "What do you think about this?" and I answered something to this effect: "Well, I am small fry in the State Department. I am new there. I am very generously classed as a country specialist and as a member of the Postwar Basic Policy Committee, but I feel that I shall start to hire and fire ambassadors when I am made full Secretary of State."

Then there was a general chill around the table and they didn't like it very much, and I hardly remember that we discussed anything after that. We broke up. I went my way to the Walker-Johnson Building and Service and John Carter Vincent went back to the main State Building, and I never had anything to do with them after that.

Senator GREEN. Did that make four or three times?

Mr. LARSEN. That made three times; the first when he was a baby, the second when we were introduced, and then this. The fourth was when I had a meeting with Jaffe one day. That must be the 28th of May. I didn't keep a record, but I can place it approximately there.

Then Mr. Jaffe called me on the phone the following day and said, "Jimmie?"

I said, "Are you still in town?"

He said, "Yes, I stayed on another day." He said, "I remembered that I wanted the biographies of four men, and I forgot to ask you when I saw you. You gave me all else, but I want those."

I said, "All right; if I have them I will make copies for you."

I went to my file and went back and said, "Yes, I have them."

He wanted me to copy them. He said, "I am leaving on a 1 o'clock train," or 2 o'clock, whatever it was, and I said, "What do you want me to do?"

He said, "This one time loan me your personal copies of your cards and I will mail them back to you from New York."

I don't think I ever got those cards back, and I didn't make a record of what they were. But I took them down there, and when I walked into the hotel I didn't know what room he was in, so I went to the desk and I said, "Where is Mr. Jaffe registered?"

They said, "Room so-and-so," so I walked over to the elevator shaft there, and when I got there, John Service and Philip Jaffe were standing outside.

Senator GREEN. Outside the elevator?

Mr. LARSEN. Yes, right outside the elevator in the Statler lobby, and Jaffe said, "Do you know Mr. Service?"

I said, "Yes, I have met him." I do not remember whether I shook hands or not. I asked John Service the day before yesterday at the loyalty meeting "Did I say anything to you?"

He said, "No, not that I remember." He said, "I remember you came there and delivered a small envelope."

That is why I said, "The point is, it was a small envelope." There were four cards in it.

I said, "Philip, don't forget to send them back to me;" and then I went away.

Senator LODGE. Why did you think he wanted to have them?

Mr. LARSEN. Apparently he had something he was writing about that concerned the men.

Senator LODGE. You thought his interest was entirely journalistic?

Mr. LARSEN. Yes, I did at that time.

Senator LODGE. Do you think differently now.

Mr. LARSEN. Yes; I do think differently now.

Senator GREEN. When you say you delivered no documents at any time, you do not call these cards documents?

Mr. LARSEN. No, I never called them documents.

Senator GREEN. Those are the only things you ever delivered?

Mr. LARSEN. No. I think I told you, sir, that I did deliver some documents to him, which I loaned to him and he took away and returned, with the exception of three that I identified, or two that I definitely identify and one that I could not say for sure.

Senator GREEN. There may have been more? You said you did not remember those until you saw them.

Mr. LARSEN. There may have been more.

Senator GREEN. You used the word "conspire" several times, that they accused you of conspiring and you did not conspire. What do you mean by "conspire"? What does it mean to you?

Mr. LARSEN. I have in mind the charges preferred against me in court on November 2. I do not remember the technical designation of the charges, but they were "conspiracy to remove Government documents," or "Government property," I think it was termed. I know that term because my attorney went into it very carefully and explained that that was the charge.

Senator GREEN. When you delivered these Government documents you did not consider that conspiring?

Mr. LARSEN. I have never been asked that question. Do you mean conspiring with one man, Jaffe?

Senator GREEN. Yes.

Mr. LARSEN. Technically, I suppose that would be to conspire with him.

Senator LODGE. How long had you known Jaffe?

Mr. LARSEN. Since the spring or summer of 1944.

Senator LODGE. You had not known him very long, then, had you?

Mr. LARSEN. About a year. The arrest was made in 1945.

Senator LODGE. You feel you knew him quite well?

Mr. LARSEN. Yes; as well as you could know him from, say, 8 or 9 or 10, perhaps, meetings.

Senator LODGE. But you feel now that there were some thing about him that you did not know then, don't you?

Mr. LARSEN. That's right; I do feel that.

Senator GREEN. Have you told us the whole of your conversation with Senator Ferguson?

Mr. LARSEN. Yes; I think I have. I merely mentioned to Senator Ferguson that I had been indiscreet in the illegal or unauthorized loaning of some documents to Mr. Jaffe, and that at the time of the arrest some of those had not been returned, and that I had made a clean breast of it to the Justice Department and that in the final analysis I had been taken to court and had entered a plea of nolo contendere, which I did not know of as a plea before. I had heard the term, but it was suggested to me by Mr. Hitchcock. He made a very straightforward suggestion, it seemed to me at that time.

He pointed out to me, "Larsen, do you see that you have removed Government property? Let me make it still plainer to you. If you had taken one pencil marked 'United States' Government' and then taken that home, or given it to someone else, you had removed Government property or conspired to remove Government property, and we are going to fight this case to the bitter end and you will not get out of it."

I tried to bluff. Actually, I had a Chinese friend who sold his six laundries, including his factory out at Front Royal, and he said, "Jimmie, I will put \$10,000 in the bank for your defense." I had helped him at one time. The Chinese are good that way.

I went to the Justice Department and I said to my lawyer, "Let's bluff Hitchcock a little bit."

I said, "I will go to the Supreme Court and I will fight the documents in my house. I will fight that end of it and say, 'All right, I had authority to have them there. There is no proof that those documents you found had been given to Jaffe. On the contrary, the fact that they are there should show they have not been given to Jaffe.' I will confess my guilt so far as the actual loaning of some documents, and then we will find out whether I am a spy or conspirator, or whether I have given information that was essential to the security of the United States" and let me repeat under oath right here that I never gave anything that was essential to the security of the United States, for several reasons. One, I would never get that.

Mr. MORGAN. Of course, that was by your interpretation of what the information purported to be, was it not—insofar as your analysis of the information was concerned, it would not be information of that type. Is that what you mean?

Mr. LARSEN. Oh, yes; I see. That would be in my interpretation.

Senator LODGE. Is it not true that you might not be able to judge whether a document involved the security of the United States or not? Isn't that right?

Mr. LARSEN. That would be an exceptional case.

Senator LODGE. You are not a military man, are you?

Mr. LARSEN. I am not a military man; no sir.

Senator LODGE. So you might have a document that involved the security of the United States and you might not know it.

Mr. LARSEN. I will concede that. That is possible.

Senator LODGE. You gave these documents to Mr. Jaffe because you thought he was going to use them for a journalistic purpose. Did you give them to any other journalists or any other educators?

Mr. LARSEN. No, sir.

Senator LODGE. Why did you happen to pick him? If you were going to start issuing documents to the press, why did you pick this particular man?

Mr. LARSEN. I will answer that question. I met Mr. Jaffe through Mr. Roth, and the purpose was to exchange personalities, and it was not intended to be a pipeline, as it is commonly called. But I suspect that there was, if there was any conspiracy, it was on the part of Mr. Jaffe and Mr. Roth to secure me as an eventual pipeline. I cannot prove that. It is a mean accusation, but what I have subsequently heard would indicate that there is a possibility of that.

Senator LODGE. That doesn't quite answer my question.

Mr. LARSEN. Yes, inasmuch as I said no, I did not give anything to anyone else, and I would not have given anything to anyone else, any other journalist, with whom there were not the relations for Chinese personality and biographical material.

Senator LODGE. Why did you pick these people?

Mr. LARSEN. I didn't pick them.

Senator LODGE. You did.

Mr. LARSEN. They picked me.

Senator LODGE. Why did you want to give them the documents?

Mr. LARSEN. I think I have stated that already.

Senator LODGE. You haven't stated it so it is clear.

Mr. LARSEN. Yes, I think I made it quite clear. I stated I didn't want to be bothered with extracting a conclusion from a long-winded memorandum or dispatch and instead I let him draw his own conclusions.

Senator LODGE. That isn't what I mean at all. Why did you give those documents to Mr. Jaffe? That is what I want to know. It is a perfectly simple question. You did not give them to any other journalist. Why did you give them to him?

Mr. LARSEN. Why did you marry your wife and not any other woman?

Senator LODGE. You answer my questions! I am not here to be questioned.

Mr. LARSEN. I am here voluntarily. I will answer it if I like to. I am sorry; I don't want to be in contempt of anyone here. I am answering to the best of my ability.

I gave him the documents because he asked me to loan him that particular document. There was no blanket agreement.

Senator LODGE. If the New York Times had come and asked you to give them a document, would you have given it to them?

Mr. LARSEN. No, I wouldn't.

Senator LODGE. Why do you prefer Mr. Jaffe to the New York Times?

Mr. LARSEN. I can't answer that question. I would still ask you, why do you prefer your present wife to another woman.

Senator LODGE. You don't ask me questions, at all.

Mr. LARSEN. I know I am out of order.

Senator GREEN. Get back in order, please.

Senator LODGE. Why do you prefer Mr. Jaffe to the New York Times? What is so wonderful about Mr. Jaffe? Why did you give him this material and you did not give it to any other journalist? That is a perfectly simple question.

Mr. LARSEN. I have to think of an intelligent answer to that.

Senator LODGE. Yes, I want an intelligent answer.

Mr. LARSEN. I had become associated with Mr. Jaffe.

Senator LODGE. Why? Why did you like him? Why did you want to get associated with him?

Mr. LARSEN. You ask me, why did I like him?

Senator LODGE. Yes.

Mr. LARSEN. He was, as an individual, a very pleasant person.

Senator LODGE. So any other journalist that had a pleasant personality you would have given these documents to, is that right?

Mr. LARSEN. No.

Senator LODGE. Then why did you prefer him?

Mr. LARSEN. We had a hobby in common there, and it was purely based on the personality discussion and exchange. There was no other reason.

Senator LODGE. What do you mean, "exchange of personality"?

Mr. LARSEN. Exchange of personality material, notes, biographies. Jaffe did give me some very valuable biographies on Chinese Communists. I don't think anyone was up on them as well as he was.

Senator LODGE. He gave you material?

Mr. LARSEN. Yes, sir.

Senator LODGE. A good deal of material?

Mr. LARSEN. Quite a good deal in the beginning, and there was a slight disillusionment on my part when he did not give me very much later.

Senator LODGE. Did he give you material that was useful to the State Department?

Mr. LARSEN. Yes, he did.

Senator LODGE. Do you know Michael Lee?

Mr. LARSEN. I know him slightly.

Senator LODGE. How many times have you seen him?

Mr. LARSEN. Three or four times.

Senator LODGE. In what connection did you see him?

Mr. LARSEN. I met him by accident a few times. He has never been to my house; I have never been to his house. He came to my office and applied for a position, and we turned him down. We had no position for him in the Navy Department.

Senator LODGE. Did you utilize him in any way in your connections or relations with Jaffe?

Mr. LARSEN. No, sir. The answer is "No," under oath; definitely "No."

Mr. MORGAN. In line with some questions Senator Lodge asked you, during the period of this association with Jaffe, did you know him to be the editor of Amerasia magazine?

Mr. LARSEN. Yes, I did.

Mr. MORGAN. In your testimony before the Hobbs committee I think you referred to the Amerasia magazine as an "important textbook." Is that correct?

Mr. LARSEN. That is right.

Mr. MORGAN. Did you at any time during the period of your association with Mr. Jaffe regard him as a leftist?

Mr. LARSEN. Yes, I did. I asked him at one time, "Are you a Communist"? It occurred to me in this manner: After I met him I started to read Amerasia magazine. I never wrote anything for Amerasia, and one time when he came down—it was around Christmas time, 1944-45—I said to him, "Philip, why is it that you always champion the Communist cause and you never have a single good word for our ally, Chiang Kai-shek, in it"?

He said, "Well, I will tell you. The reason is that these agrarian reformers and so-called Communists out in China have not been given so very much publicity, correct publicity."

I said, "On the contrary, it seems to me that every single writer in the United States has boosted them," and I ran off some names: Agnes Smedley, Edgar Snow, Harrison Foreman, and I believe I even mentioned Lattimore as championing their cause, and never saying a good word about the Nationalists, and I pointed out that it was wartime and that the Nationalists were our allies, and it was a bad thing to make a break between the Nationalist Government of Chiang Kai-shek and the United States Government during wartime, and he said, "Well, I am getting around to that in due course, and I shall put the position of the Chiang Kai-shek Government as clearly and as impartially as possible."

But, gentlemen, he never did get around to that.

Mr. MORGAN. When was this conversation?

Mr. LARSEN. This conversation was around Christmas or New Year, 1944-45.

Mr. MORGAN. And you had concluded at that time that Jaffe and his magazine were leftist, let us say?

Mr. LARSEN. Yes, I had concluded that they were rather leftist.

Mr. MORGAN. Yet you continued to exchange information with him up to and including May 29, 1945?

Mr. LARSEN. That's right, and you probably ask me why.

Mr. MORGAN. I am just intrigued by Senator Lodge's questions here. As I understand your position, Mr. Larsen, all along in your testimony, it is that you were pro-Chiang, let us say, and we have the anomalous situation here of you being pro-Chiang in association with a man that you recognized as pro-Communist, and yet you continue over an extended period of time to give him information. I don't understand it.

Mr. LARSEN. I was, or was trying to be, an impartial analyst. That means an analyst who must look at both sides, at both reports, because we were dealing with China as a whole. And whereas I grew up with the Kuomintang boys in China and I know them very well—I know all their faults—I am one American who does know their good points,

too, and I had a few battles with Philip Jaffe on that subject. I pointed out to him that it is true there is plenty corruption in the Chiang government, but there is in every government, and I believed, I told him, that there was probably less corruption in the Chiang government than there had been in many hundreds of years of Chinese government, and that I knew the good points that Chiang Kai-shek had to his credit, namely, the unification of the country, the unification of tax systems, and many other things. And he didn't say anything to that, and I felt that ideologically we were not on the same basis.

But let me add one thing that you and many other people in America seem to lose sight of. We were at that time at war with Japan and Germany, and our allies were the Chinese, including the Chinese Communists, and Soviet Russia. And we were being briefed on careful relations with Russia, diplomatic careful relations, that would prolong the good relations we were enjoying, and I believe we all were pretty happy to have as an ally Soviet Russia, although I never liked the Russians.

Mr. MORGAN. Mr. Larsen, you have testified before the House committee rather fully about an alleged pro-Communist group in the State Department.

Mr. LARSEN. That's right.

Mr. MORGAN. I intend to ask you some questions about that, but that brings me back again to this question I would like to have answered if you can, and that is why, after you assumed that Mr. Jaffe was pro-Communist in his tendencies, you continued to give to him restricted, classified documents of the United States Government.

Mr. LARSEN. I shall answer that. Then my next question to Mr. Jaffe was, "Philip, I want to ask you a question. Don't get mad with me. Are you a Communist or a pro-Communist?"

To that Mr. Jaffe answered "No, definitely not. I would like to call myself a Liberal or a Socialist, but I am not a Communist."

And I took his word for it. Since then, when the case broke, Mr. Dondero and others have pointed out to me the record of Mr. Jaffe, namely, that he has taught in Communist schools and he has been affiliated with pro-Communist front organizations. That I did not know previously. I did not suspect it because I worked in a United States Government institution where 20 copies of his magazine would come in and would be distributed to every desk.

Mr. MORGAN. You were familiar with the magazine?

Mr. LARSEN. Yes, I was fairly familiar with the magazine.

Mr. MORGAN. Was that the only magazine you and your people referred to? Was that the only research magazine?

Mr. LARSEN. Oh, no. We referred to all magazines, all papers.

Mr. MORGAN. From your reading of the Amerasia magazine, did you conclude that it was a pro-Communist magazine?

Mr. LARSEN. I couldn't conclude that very definitely, because there was never anything in the magazine out-and-out pro-Soviet.

By the way, there is an inaccuracy in the record. I never used the word "pro-Soviet" in there.

Mr. MORGAN. You did refer to it, in answer to a question by Mr. Fellows, as an important textbook?

Mr. LARSEN. Yes, I did.

Mr. MORGAN. In what sense did you make that statement?

Mr. LARSEN. In the sense that it was read very carefully, and we were often requested to comment on it.

Mr. MORGAN. Was it read more intensely than other publications relating to the Far East?

Mr. LARSEN. No, I don't think so.

Mr. MORGAN. So, in your association with Mr. Jaffe, you had no reason to think of Mr. Jaffe or of Amerasia in any peculiar sense, is that right?

Mr. LARSEN. I had occasion, of course, to consider it as one of the leftist magazines. I definitely decided that when I had read it for some time.

Mr. MORGAN. Was that during the period of your association with Mr. Jaffe?

Mr. LARSEN. Yes. That was after I came over to the State Department.

Mr. MORGAN. Yet you continued to maintain your contact with him and to supply information to him?

Mr. LARSEN. Yes, but I did not suspect that he was a spy or a pro-Communist, especially after he said that he was not a Communist and not pro-Communist.

Mr. MORGAN. Getting back to the line of inquiry from which we were diverted somewhat—

Senator GREEN. May I get back to where I was?

Mr. MORGAN. Certainly. I am sorry.

Senator GREEN. You were telling us about one of the Senators, Senator Wherry, sending for you. Were you given any reason why he sent for you?

Mr. LARSEN. Yes, he told me, somewhat laughingly, that he was the expert on homosexuality in the State Department, and we laughed quite a bit, and I said, "Well, in that case I am definitely very sorry, Senator, I cannot help you, because I am not a homosexual myself and it has gone completely over my head, this homosexual business, and I don't know Lattimore."

Senator GREEN. How did you get word from him?

Mr. LARSEN. That was from Mr. George Dondero, who took me over there, the day I met Kent Hunter.

Senator GREEN. Was it a message from Senator Wherry that he wanted to see you?

Mr. LARSEN. I presume so. I didn't know what the purpose of the call was when Congressman Dondero sent for me, so I just went to his office and he patted me on the shoulder and said, "Larsen, I know you are no Communist, and I told your wife the other day that I think you are a fine man."

Senator GREEN. Senator Wherry said this?

Mr. LARSEN. No; Mr. Dondero said it. He said, "I know you will help us in this matter and tell us the truth."

Senator GREEN. What matter?

Mr. LARSEN. The investigation of the Amerasia case. He said, "In that connection I wanted to introduce you to Senator Wherry."

I said, "What does he want to ask me about?"

He said, "As far as I know it is about Lattimore. Do you know anything about Lattimore?"

I said, "No."

Then he said, "Do you know this gentleman here?"

I said, "No."

He said, "My name is Kent Hunter."

Then Congressman Dondero said, "I will go outside for a minute while you talk together."

I said, "I don't like to give any statements to the press."

He said, "This is not for the press. This is just a little off-the-record talk. I just want to know your story of Amerasia. How did you get involved? Did you ever know Lattimore, and what were your relations with Service?"

Senator GREEN. We are getting away from Senator Wherry, are we not?

Mr. LARSEN. Yes; and then we went to Senator Wherry.

Senator GREEN. Kent Hunter and you?

Mr. LARSEN. No; Congressman Dondero and I.

Senator GREEN. What was Congressman Dondero's interest in the whole matter?

Mr. LARSEN. He had apparently had a call from Senator Wherry and had obliged him by saying he would bring Larsen to him.

Senator GREEN. You understood that Dondero was drumming up witnesses for Senator Wherry?

Mr. LARSEN. Oh, yes; definitely, sir.

Senator GREEN. Were you promised anything in return?

Mr. LARSEN. No, sir.

Senator GREEN. Or threatened if you did not go?

Mr. LARSEN. No, sir.

Senator GREEN. It was just your general good nature that made you give your time to this?

Mr. LARSEN. Yes. Senator Wherry is a very charming man, I considered.

Senator GREEN. Did you know him?

Mr. LARSEN. No.

Senator GREEN. You did not know him as a charming man then, did you?

Mr. LARSEN. No, but I met him and he was very pleasant and I thought I would not conceal anything from him, as I had not concealed anything from the others.

Senator GREEN. You have a very generous and open disposition to oblige a perfect stranger by putting yourself out and giving of your time.

Mr. LARSEN. That's right. I am of that disposition. Incidentally, I have been through the mill on this. I have been sentenced; I have suffered considerably. I have been without employment since 1945, and I figure that in the way of double jeopardy nothing in particular could happen to me.

Senator GREEN. Do you mind going back? We seem to go off on sidetracks.

In your conversation with Senator Wherry, after you got through with that one subject which you disclaimed any knowledge of or ability to help him with, what trend did the conversation take?

Mr. LARSEN. Then I related to him my experience with Mr. McCarthy and his assistant.

Senator GREEN. Then what happened?

Mr. LARSEN. I told him, "I don't like McCarthy's methods, or rather, the methods of his assistant. I had a little clash with him."

Senator GREEN. Then what?

Mr. LARSEN. Then he said, to the best of my memory, "Oh, Mac has gone out on a limb and kind of made a fool of himself, and we have to back him up now," and with Chinese mental reserve I said to myself, "You back him up. Leave me out of it."

Senator GREEN. What did you say out loud?

Mr. LARSEN. I said nothing.

Senator GREEN. Was that the end of the conversation?

Mr. LARSEN. That was the end of the conversation, and Mr. Wherry said, "Thank you very much for coming in. Would you come in again if you think of something, or if I send for you would you come again?"

I said, "Yes, yes. Good-by, sir," and that's all.

Senator GREEN. Then you have described, I think, your conversation with Senator McCarthy. That was very brief.

Mr. LARSEN. Very brief; yes.

Senator GREEN. He was disappointed in you too, wasn't he?

Mr. LARSEN. Yes; I think he was.

Senator GREEN. Did you introduce the same general topic that you did with Senator Wherry, that he thought you were going to give some information about homosexuality?

Mr. LARSEN. That's right.

Senator GREEN. Did Senator McCarthy have the same expectation?

Mr. LARSEN. No; he never brought up Lattimore or homosexuality. He merely asked me what I knew about the Amerasia espionage case, and the other members involved in it.

Senator GREEN. That is a long story you could have told him.

Mr. LARSEN. Yes; I could have told him a long story. I could have made it very brief and said I did not know what the other people involved in the case did, because I did not conspire with them.

Senator GREEN. Is that what you said, or what you might have said?

Mr. LARSEN. I could have said that, but he did not ask me.

Senator GREEN. What did you say to him in reply to his questions?

Mr. LARSEN. I said, "I shall be very glad to tell you my end of it."

Senator GREEN. What did he say to that?

Mr. LARSEN. He didn't get a chance to say anything. Then the phone rang, and he said to some woman on the phone, "I can't be there at that time; I'm awfully sorry, I am tied up. Tell them I have to go to China, or I'm having a baby." I think that is what he said.

Senator GREEN. What did he say to you?

Mr. LARSEN. He said, "Excuse me, please," and then he started to ask me another question: "How did you get to know Jaffe?" He did not get an answer to that question. Then another phone call, and then he talked on the phone for about 5 minutes, and then he put the phone down and then the young Mr. Surine came in, and he said, "Look, Don, I want you to take Mr. Larsen downstairs and question him. I am too busy."

I said, "It has been a pleasure meeting you, Senator." I have been taught to say those falsehoods. And I went downstairs with Mr. Don Surine.

Senator GREEN. Then what happened with Mr. Surine? He was acting as Mr. McCarthy's agent in the matter?

Mr. LARSEN. Yes; and he had a great many dictaphones and other contraptions, at least 10 of them, in that office. It was bristling with machinery. And I understood that whatever I said would go into records and on disks. I sat down opposite him and he pulled out a yellow sheet where he had some questions listed, and he began with the first one: "What is your name and address and how did you get involved in the Amerasia espionage case?"

Senator GREEN. Did you feel under any obligation to answer all these?

Mr. LARSEN. No; I did not.

Senator GREEN. But you answered them?

Mr. LARSEN. I answered only this way: "I would prefer to call it the Amerasia leakage of documents or stolen documents case, and not the espionage case."

Senator GREEN. That was the conversation you told us about before?

Mr. LARSEN. Yes; and there it ended.

Senator GREEN. And that is the whole of all your communications directly with Senator McCarthy and Senator Wherry, pending further calls from them?

Mr. LARSEN. Yes, sir. I had forgotten one thing I remember now. I cannot repeat the words exactly. I wish I had recorded something too. Mr. Don Surene pointed to me and said, "You are equally guilty," and there he sort of got me a little bit mad. He said, "You are equally guilty with the others, but if you will testify correctly you can be of great help to us and everything will be much easier for you."

Senator GREEN. That is what I said. Were there any inducements or threats? Apparently there were.

Mr. LARSEN. That was the only one, and that was the one that got me stirred up first. The final detonator was when he said, "Are you defending Amerasia?"

Then I got ready to go home.

Senator GREEN. Whom did you think Mr. Surine represented, Senator Wherry?

Mr. LARSEN. No; I think he represented Senator McCarthy, because he was introduced to me as Mr. McCarthy's man.

Mr. MORRIS. Did you say you saw a recording machine there at that time?

Mr. LARSEN. I saw quite a number of them around there.

Mr. MORRIS. What do you mean by recording machines?

Mr. LARSEN. Well, dictaphones, electric typewriters, little electric gadgets that I had never seen before, never used.

Mr. MORRIS. Did you see anything that was recording the conversation that took place?

Mr. LARSEN. I looked around for a "mike" but I couldn't find one.

Mr. MORRIS. So when you made the statement that the place was bristling with machines you meant it was bristling with typewriters?

Mr. LARSEN. And dictaphones and other equipment.

Mr. MORRIS. But nothing to record the conversation that had been going on?

Mr. LARSEN. I don't know the nature of those machines. I never used one.

Senator GREEN. Now let's get on to the third Senator. Don't make me go into detail as to what you said next and what he said and so on. How did you happen to go there?

Mr. LARSEN. To Senator McCarthy?

Senator GREEN. To Senator Ferguson.

Senator Ferguson's secretary, Mr. Reed—

Senator McMAHON. Before you get into Senator Ferguson, when Senator Wherry said he was the expert on homosexuality in the State Department, did he state his qualifications?

Mr. LARSEN. No; he did not.

Senator LODGE. I understood Mr. Morgan had a line of questioning that the chairman desired to have finished today.

Senator GREEN. The temporary chairman desires to have this line finished first.

Senator LODGE. I wonder how far along Mr. Morgan is.

Mr. MORGAN. I am just getting started.

Senator LODGE. Then, of course, Mr. Morris has a line of questions to develop, and I think Mr. Larsen had better understand he is going to be here all day tomorrow.

Senator GREEN. Let's finish with this line first. We are trying to find out the conversations with the three Senators, which we had piecemeal before.

Will you tell us why you went to see Senator Ferguson—a consecutive story.

Mr. LARSEN. His assistant, a Mr. Reed, called the apartment. I was not at home.

Senator GREEN. Was this a social phrase or actually were you not there?

Mr. LARSEN. I was not at home, and when I got home my wife said, "There is a Mr. Reed who wants to talk to you."

I asked, "Who is it?"

"He said he is an assistant in Senator Ferguson's office. He wants you to call him."

Not cherishing too many investigations and questions, I did not call him, and he called me early in the morning and said, "Mr. Larsen—"

Senator GREEN. He himself called you?

Mr. LARSEN. No, Mr. Reed. He said, "You don't know me. I am an assistant in Senator Ferguson's office. Would you please come up and see me?"

I told him, "Frankly, I don't even have the carfare today, because I am waiting for a check for an article I wrote."

He said, "Well, I could pick you up."

I said, "I am going down town somehow or other today, and if I can, I will make it."

He said, "No; let's make it definite," and he begged me to come and see the Senator. He said, "It won't be but a moment."

Senator GREEN. Mr. Reed promised to stop for you and take you?

Mr. LARSEN. He said it wouldn't be but a few moments, and in the morning mail I received my check and Mr. Reed called me back again about noontime.

Senator LODGE. Your check? From whom?

Mr. LARSEN. A check for an article I had written.

Senator LODGE. I see.

Mr. LARSEN. Mr. Reed called me once more that same day, and asked me, "Could you come down?", and I said, "Yes." I said "I will come down."

Senator GREEN. You must have been getting curious, were you not, as to what it was all about.

Mr. LARSEN. Yes.

Senator GREEN. Yet I don't know. Perhaps with two other Senators in the background you already knew, or suspected.

Mr. LARSEN. I probably was just as willing to talk to an associate of Senator Ferguson as I was to Mr. Jaffe. I mean that without any contempt.

Senator LODGE. And for the same reasons?

Mr. LARSEN. Yes; to discuss the interests of the Nation.

Senator LODGE. I thought you said you were discussing it with Jaffe because he was interested in personalities. Do you mean you wanted to see Senator Ferguson in order to exchange information on Chinese personalities?

Mr. LARSEN. No. May I answer the question?

Senator LODGE. I hope you answer it.

Mr. LARSEN. Just in the same manner I wanted to see Mr. Jaffe on personalities, I was quite willing to see Mr. Ferguson, who I believed had the interests of the Nation at heart.

Senator LODGE. I can now see you are not serious in your answer.

Mr. LARSEN. Certainly I am serious.

Senator LODGE. I think that statement pretty well disqualifies the witness in his other testimony.

Mr. LARSEN. What advantage would it be to myself to see Mr. Ferguson?

Senator LODGE. You refuse to answer the question, and that is the end of that.

Senator GREEN. Answer your own question.

Mr. LARSEN. I would answer my own question. I knew that Mr. Ferguson was interested in getting from me something that would show that there was a conspiracy involving me, and the only personal interest in it was to go and see Mr. Ferguson and tell him the truth. I had nothing sinister in mind, and it was not purely that I ran to anyone who sent for me, because let me tell you, others have sent for me and I have refused to go.

Senator GREEN. Any other Senators?

Mr. LARSEN. No other Senators. Many newspapermen.

Senator GREEN. Let's get on. You have got as far as Mr. Reed calling for you.

Mr. LARSEN. Then I went down there and got there at 3 sharp, and was ushered into Mr. Ferguson's room, and Mr. Reed was present, and I sat in an easy chair right next to Mr. Ferguson, and he asked me the same questions: "How did I get involved in the case?" and "What did I think of the case?"

I told him, "I know there is a considerable move on among you Republican gentlemen to get some information that would pry open the Amerasia case and show it as an espionage case. I am sorry; I don't know of any espionage in the case."

Senator GREEN. You weren't really sorry; that was just an expression.

Mr. LARSEN. I am not sure, really. I am glad that the Government was unable to prove it, because it would have been very bad for me if I were involved with people who engaged in espionage.

Senator LODGE. Do you think the Government tried to prove it?

Mr. LARSEN. That is difficult for me to answer. It seems to me that they tried. They arrested us. They stuck their necks out quite a bit when they arrested us on espionage charges.

Senator LODGE. Do you think they stuck their necks out as far as the necks of the young men were stuck out in the foreign areas in the war? There was a war on, wasn't there?

Mr. LARSEN. It is difficult to make a comparison. The war was foisted on us, as far as I remember.

Senator GREEN. We can go back now and pick up the loose threads of the conversation between yourself and Senator Ferguson:

Mr. LARSEN. I explained to him that I had told the truth, and I was willing to tell the truth if he was interested at all, and he did ask me, and I told you roughly what I have said here. I did not deny that I had loaned Jaffe documents, and I felt that I had been punished for it, perhaps rightly, perhaps a little too much, and my only grudge was that I had been made the scapegoat in the entire matter, whereas I felt that surely there must have been others involved.

He asked me, "Why do you suspect that?"

I said, "Because I saw a stack of documents that I did not give to Mr. Jaffe, and I have read in papers and other places lists of documents that would never have come to me."

So he said to me, "I want to ask you this, Larsen: Do you personally think that this was a widespread plot?"

I told him, "I have a suspicion, but I can't prove anything. If I could prove anything"—and you may verify this from Mr. Ferguson—"I would consider it my patriotic duty now to tell, to give the proof."

Senator GREEN. And you still feel that way?

Mr. LARSEN. Yes; I still feel that way.

Senator GREEN. Toward us?

Mr. LARSEN. Toward you, too, because you called me here to tell the truth.

Senator GREEN. Then that was the end of your conversation?

Mr. LARSEN. Yes, sir.

Senator GREEN. Did he ask you if you would be willing to come again?

Mr. LARSEN. Yes; he did.

Senator GREEN. And you said you would, you would be glad to?

Mr. LARSEN. I didn't say I would be glad to. I told him "I have a hard time with these investigations, but if you insist, I shall come again, and you are free to ask me many other questions, but I would like to be left out of the case. I have taken my rap already."

Senator GREEN. Did you understand that these Senators had—I won't say conspired; had talked together about you?

Mr. LARSEN. Well, I felt very strongly that they were all eager to use me as much as possible.

Senator GREEN. I mean, did you think they knew about each other having seen you?

Mr. LARSEN. Oh, yes, definitely, because they asked me "You saw Mr. McCarthy on such and such a date, is that not right?" Oh, yes; they all knew where I had been. I enumerated locations to them.

Senator LONG. Mr. Chairman, let me just say that while, of course, we have a right to develop any of this testimony we want, the fact of the matter is that it is the job of this committee to find out how those documents were stolen and why the people who stole them were not punished, and we can have as many diversions of this kind as we wish, but the public will be disappointed unless we definitely find out who was guilty and find out why they weren't punished, and that transcends any political considerations.

Senator GREEN. I was turning the witness over to Mr. Morgan when you interrupted with that remark.

Senator LONG. I am not the only one who interrupted, and I think my remark goes to the heart of this inquiry.

Senator GREEN. Now may Mr. Morgan proceed?

Senator LONG. I will be very glad to have Mr. Morgan proceed.

Mr. MORGAN. Going back to the interjection of the name of Mr. Lattimore in your testimony, during the period of your association with Roth, with Jaffe, and on one occasion your meeting with Service, during the period of your contacts with Jaffe did Mr. Lattimore's name enter into the picture at any time?

Mr. LARSEN. No, sir; not that I remember. I do not remember ever discussing him.

Mr. MORGAN. And your injecting the name of Mr. Lattimore into the picture later on was purely by way of referring to this meeting of the barbecue at Mr. Lattimore's home which you had been told about by Mr. Hunter, is that correct?

Mr. LARSEN. That is correct.

Mr. MORGAN. I see.

Mr. LARSEN. Yes.

Mr. MORGAN. In your testimony you made reference, Mr. Larsen, to the article which appeared in Plain Talk magazine that has been referred to on numerous occasions. As a matter of fact, I believe it is the first edition of this magazine, an article which appeared in October of 1946.

Mr. LARSEN. That's right.

Mr. MORGAN. The article is captioned, "The State Department's Espionage Case" and "By Emmanuel S. Larsen."

Mr. LARSEN. That's right.

Mr. MORGAN. Did you write this article?

Mr. LARSEN. No, sir.

Mr. MORGAN. You did not?

Mr. LARSEN. No, sir. I wrote what Mr. Don Levine asked me to write, my story of the involvement in the Amerasia case, and I wrote it so that in case they accepted it as such it could be readied for publication, and I entitled it "They Called Me a Spy."

Mr. MORGAN. That was the draft you prepared?

Mr. LARSEN. That was the draft that I prepared.

Mr. MORGAN. How did it happen that you prepared this article for this magazine?

Mr. LARSEN. I was down in Florida with my father, helping him build a house, and I was knee deep in concrete when two men came

down there, namely Mr. Kirkpatrick and Mr. Higgins, former FBI men, who claimed that they had worked on my case in the State Department during 1945 and that they had resigned in November 1945, and had joined Plain Talk magazine as research analysts in communism.

They came to Florida on the 1st of August 1946, to St. Petersburg, Fla., and they begged me to accompany them to New York to write an article for Mr. Don Levine. I told them, "I don't want to write an article, because I don't know enough about the case. I wish I did, and I would know whether all these things that are claimed in the papers are correct or not; namely, that there was a spy ring and that there was communism within the State Department."

So they milled around for some time, and that evening the answer was still "No, I want to be left out. I have been punished, I have been fined, discredited. I want to be left out."

The next morning they went to my residence, and I was about 8 or 10 blocks over near Gulfport helping my father, and they prevailed upon my wife, namely, by convincing her that this would entail several things of advantage to me: (1), I would be cleared of suspicion. It would be known to the world that I was not the only one who had had dealings with Jaffe. (2), that I would, through the writing of this article, earn some money and some publicity if I wanted to go into writing, and that they would try to put me on the radio. They would test me for radio voice and put me on the radio and get me some contracts, and they very strongly prevailed on me that afternoon, and I asked my father to excuse me from the work on the house—I supervised the carpenters—and they took us downtown and we had dinner downtown, and they impressed me as sincere in trying to help me rehabilitate myself, and I agreed that night to go up to New York the next day, and they went and paid for my ticket, about \$100 it cost by plane, and I got my clothes ready and the next day I left.

How they went back I don't know, but I believe they went back that same night by plane. I gave them my word I would be in New York.

Then I went to New York, and when I got there Mr. Don Levine had rented a room for me on the fifth floor in the New Yorker Hotel, and I sat there. I rented a typewriter, and I sat there, and, following his instructions, I wrote the background of my life and how I had met Jaffe through Roth and what my feelings were about the so-called Leftists within the State Department.

I stated at that time in my paper—I have the original, or a copy of it, I mean—that I did think, or it did appear to me, in 1945, that there was a group in the State Department that slanted their reports and their policy rather strongly in favor of the Chinese Communists, who were our allies at that time, and that they were exceedingly anti-Chiang, and I cited some examples from memory of how they had reported. Incidentally, at the loyalty hearing I was criticized by Mr. Service's attorney for doing that. I told him I did it in self-defense. I wanted to prove to the public that I was not a pro-Communist.

Don Levine was rather disappointed with me when I admitted that although I knew of a group of men within the State Department who

were extremely anti-Chiang, I could not say for sure that their reports were not realistic reports, for the simple reason that I was in Washington in 1945 in the State Department, whereas Mr. Service and these men were out in the field, and it could be that their reports were realistic and that they were not partial.

Mr. Don Levine did not like that kind of talk. In fact, he was very displeased with my story, because my story, he said, defeated the purpose. He did not explain what the purpose was, but I felt at that time that the purpose was to attack the administration, and I let him know that, although the Justice Department of this administration had prosecuted me and had fined me \$500, I still did not have any grudge with the administration. I was one of the few, when President Truman became President and people said, "Why, that guy is a —," or "It's a pity that we get that guy in here," I said, "No, I don't think so. You can't tell whether a man is a good man until you have given him a trial," and I was a great admirer of President Roosevelt. I did not always see eye to eye with President Roosevelt's policy, but I thought the Cairo Conference and the decisions, to give Manchuria back to the Chinese properly constituted government, was a good decision. Remember, the Yalta decision came much later.

Therefore, I had faith in the administration, and I felt at once that I had fallen in with a group there who were very much against the administration.

Mr. MORGAN. Had you already written the article at that time?

Mr. LARSEN. I had written it.

Mr. MORGAN. I show you a photostatic copy of an article captioned "They Called Me a Spy, By Emmanuel S. Larsen," and ask you if that is a copy of the document you prepared as stated.

Mr. LARSEN. Yes, sir.

Mr. MORGAN. Mr. Chairman, I would like to request that the actual document prepared by Mr. Larsen for this publication be received as an exhibit in this proceeding at this point.

Senator GREEN. Very well.

(The document so identified was marked "Exhibit 89.")

Mr. LARSEN. Mr. Chairman, may I add to this voluntary statement that I was considerably sorry about having gone to New York when I discovered that they had a purpose in publishing this, and that they were very frankly disappointed with my story.

Senator GREEN. When you say "they," whom do you mean?

Mr. LARSEN. Mr. Don Levine and Mr. Kohlberg, who, I understand, owned the magazine.

Mr. MORRIS. Did you ever see Mr. Kohlberg up there?

Mr. LARSEN. Oh, yes. He invited me out to his house.

Senator GREEN. Did you go?

Mr. LARSEN. Oh, yes; I went out there, and we sat up most of the night talking about the affair, and he told me very frankly that he didn't think I had much of a story from their point of view, because I would not go whole hog in saying, "Yes, there is a Communist element, and I can prove it."

I always maintained that when it comes to giving an opinion, a man can substantiate a certain amount, but when he gives his opinion, it is an opinion, and unless he gives perfect documentation he can never claim that his opinion is final, and they didn't like that—neither

Mr. Kohlberg nor Mr. Levine—and in subsequent talks with Republicans I have encountered that same unpleasant antagonism toward me, namely, that I would not go whole hog, that I was concealing something.

Senator GREEN. Did Mr. Kohlberg indicate in any way how deeply he was interested in his point of view in putting it over?

Mr. LARSEN. Yes; he did. He said that he and his editor, Don Levine, had in their files a great mass of material that would substantiate their viewpoint and their contention that there was such a conspiracy and there was a far-reaching plot within the State Department to pervert the policy of the United States in favor of the Chinese Communists. I admitted that there was some evidence, but I did not admit that I was competent to judge that evidence finally. That was my opinion, and I still stick to that.

If I were asked, "All right, Mr. Larsen, what would you in the final analysis produce as evidence that the reporting was not quite correct from the field by the field officers in the State Department?" well, I have been through my files and I have come upon one document that I have thought of all the time and that I had in mind when I was in the State Department, and I searched the files for that document and I couldn't find it.

Mr. MORGAN. You searched your files?

Mr. LARSEN. I searched the State Department files in our department and I requested the clerk, or the file room, "Do you have a document submitting the minutes of the May 26 to July 1, 1943, Communist Congress in Yenan?" At that Congress it was announced in Communist China by Mao Tse-tung that on the 23d of May the Comintern had been abolished, and at this conference Mao made it clear that the abolition of the Comintern meant that from now on we would not take orders directly from the Kremlin any longer, as we have done in the past, but the difference will not be so great, and I remember there was a hint that now the Comintern would go underground, and there was another admission by Mao and Chuh Teh, of the Communists, that Chinese communism is in fact Marxist Leninism, and that this theory applies to the whole world, and that they were not just agrarian reformers, as was generally reported, and that they had had relations with Russia.

Now, why should Emmanuel Larsen, a small, insignificant research analyst in there, have the effrontery to question the State Department dispatches? Well, because on the one hand I had evidence, what I considered genuine evidence, printed in English, by the Communists in Yenan, saying that they were real Marxist Leninists in 1943, and that they were associated with and taking orders up to that time from the Kremlin.

At the same time I had showered upon me every day reports stating, by Mr. John Davis, that the Chinese Communists had a non-Russian orientation; by Mr. Service that the Communists were pursuing a policy of self-limitation and that they were not going to spread and take over China after the war.

Therefore, Emmanuel Larsen was entitled to suspect that there was something wrong somewhere. I did not make a fuss about it, because it was not my business. However, I always kept it in the back of my mind, and therefore I can at any time tell this story.

Mr. MORGAN. Part of what you were telling Mr. Kohlberg and Mr. Levine?

Mr. LARSEN. Yes. I told Mr. Kohlberg that, and he wanted that document and I showed it to him, but I did not give it to him. Mr. Levine had it on his desk one day, but I know he did not get time to go into it.

Mr. MORGAN. Do you have the document now?

Mr. LARSEN. I have the document.

Senator GREEN. What was Mr. Kohlberg's relation to the magazine?

Mr. LARSEN. He was either the proprietor or an angel, as you call it, in the foundation.

Senator GREEN. Did he tell you so, that he was furnishing the funds for it?

Mr. LARSEN. Mr. Levine told me that he furnished funds for it.

Senator GREEN. That who furnished funds for it?

Mr. LARSEN. That Kohlberg furnished funds for the paper.

Mr. MORGAN. You have read and are intimately familiar with the article that you prepared for the magazine. Have you read the article as it appeared in the magazine?

Mr. LARSEN. Oh, yes; of course.

Mr. MORGAN. Does this article as it appears in the magazine conform to your article as prepared?

Mr. LARSEN. No, sir. I was very disappointed when the copy was sent to me, and it was clear to me that Mr. Levine and Mr. Toledano, who was an assistant editor there at that time, and Mr. Kohlberg, had changed the whole thing.

Mr. MORGAN. You said "Mr. Toledano." What Toledano is that?

Mr. LARSEN. He is the one who has recently been coauthor of a book called Seeds of Treason.

Mr. MORRIS. Before you get away from it, Mr. Larsen, you said you had a book or document you were referring to. Would you introduce that into the record for us here?

Mr. MORGAN. Do you have it with you?

Mr. LARSEN. I don't have it with me.

Mr. MORGAN. Would you bring it tomorrow?

Mr. LARSEN. Yes. I will find it and try to bring it along.

Mr. MORGAN. Wherein does the article as it appeared in Plain Talk differ from the article you prepared?

Mr. LARSEN. In a blanket statement I can say this: I did not attack the administration. I did not attack Marshall. You can read that in here.

Senator GREEN. You mean they interpolated full paragraphs?

Mr. LARSEN. He rewrote it completely.

Mr. MORGAN. The article is under your name, is it not?

Mr. LARSEN. Yes, it is under my name.

Mr. MORGAN. Go ahead.

Mr. LARSEN. On the fifth day in New York Mr. Levine told me, "Your hotel has been paid up to tonight, so if you are leaving tonight make your reservation for the train trip back."

Mr. MORGAN. Incidentally, what were they going to pay you for this article?

Mr. LARSEN. They were going to pay me \$300 and all expenses. It did not quite work out that way.

Mr. MORGAN. What did they pay you?

Mr. LARSEN. They paid me my expenses, or rather, they paid me \$200 and told me my expenses had run up to \$100, and I understood my expenses, not only the airplane which Mr. Kirkpatrick had paid, but I understood also my hotel expenses and other incidentals were to be paid. That was deducted from my \$300 fee.

The last day Mr. Levine confronted me with the article as he had rewritten it in manuscript form, and asked me to initial it. Well, I had less than 2 hours for my train time. You might ask me why did I have to hurry back. I had to hurry back for one reason, that I felt I would run up expenses on my own, and I was darned poor at that time.

Senator GREEN. Did you initial it?

Mr. LARSEN. I did initial it, because my father's furniture was stored in Manassas here, near Washington, and I had a date with a truck driver who was driving a truck down to Florida and I was going to ride back with him with the furniture, and the next morning at 5 o'clock was the date, so I was in a hurry to get down to Washington and get going with him. Everything would have gone wrong if I had stayed. So I made my objections. I said, "You have stated this and that. I didn't have that in the article."

And they said, "Look, we will show you," and they had proof in the way of photostatic copies of confidential reports from newsmen and this, that, and the other, purporting to show that there was such a correspondence and such movement on the part of the Government and on the part of the people who were involved in this case.

Many, many things they showed me, file after file. I did not mention Stilwell, yet Stilwell was violently attacked in there. They showed me the Stilwell file they had. They even showed me a photostatic copy of a letter from General Stilwell in China written to his wife, in which it said—and they showed me that to show me Stilwell was pro-Communist—"I get so damned mad sometimes that I feel like shouldering a rifle and joining Mao Tse-tung's Chinese troops."

Well now, he may have written that in a humorous vein, or said it just like you say "I would rather go to hell," or something, which you wouldn't.

But, anyway, at that time I thought, "These men have a lot I don't know, and I suppose I have to let it go this way."

I objected to some things. We discussed them, and I remember Mr. Kohlberg standing with his back against the window. He had come in late, and it was almost 4 o'clock and I said, "I must have an agreement with you on this title. I cannot let it go as the Espionage case. If you let it go as the Espionage case you should do as I done in here, put it in quotation marks" That is the time I made a ring around it.

Kohlberg was pretty nice about it. He said, "I see your point," and Don said, "Well, it will defeat the purpose. We will see what we can do about it." Remember, that was the 8th of August when I left.

Then, sometime in October of that year, the article came out, and when my wife and I opened it I could have cried when I read that article. I don't know to this day whether he changed anything in it, but I do not remember using the word "pro-Soviet" as you have

it in there in one place, and I have an idea that they may have changed some parts of it.

And I also wish to volunteer—somehow or other I have become wary about volunteering information, because you see the Hobbs record. They told me, "This is an off-the-record discussion," and I have lost my respect for the word "confidential." The Hobbs committee material was published, and I have involved various people by having mentioned their names.

But I think I owe the committee here, and the chairman, an account of everything I know; just as well as I have told you about what transpired with the Senators. I think I should tell you that I went before the Loyalty Board to testify, merely to testify whether I knew anything against Mr. Service or not. I did testify that. I said, "It is purely my opinion that his reports had a Communist slant. The only other thing bad that I know about Service is that he did go with John Carter Vincent to discuss ways and means of getting rid of Hurley."

Of course, that is not definite proof that he was involved in any plot. Many people talked about Hurley. Other members in the State Department said, "Well, Hurley is a pretty good man, but he blows his top and he goes off half-cocked," and things like that, and they were men who had a great deal of respect for Hurley and for President Roosevelt's choice of Hurley.

Now, before the Board I testified and admitted that I had criticized the administration and I had done it under duress of a bad feeling that had been created within myself, namely, that various people such as Republicans and antiadministration people with whom I dealt had told me that Service had put his finger on me at the grand jury in 1945, and the fact that John Carter Vincent had said, "I wouldn't touch Larsen with a 10-foot pole." But I was quite willing to help raise a fund to defend Mr. Service.

But in all fairness to Mr. Service, I balked at perjuring myself or in any other way assisting a campaign which is very obviously a campaign to do some harm, if possible, without carefully checking before. I do not subscribe to that. I do not need to tell you a long story, but here, I bought this paper at 1 o'clock: "Probers Call Man Named in Spy Case." In other words, here is an editorial body that apparently knows so much about the case that they are prepared to condemn me before the public 8 hours before the hearing here, which is confidential and secret. That is the type of maneuvering that has been going on for a long time. I cannot say for certain that it is political, but I have a very strong suspicion that it is.

I am willing to help any good American who has the interests of the United States at heart, but not any American who just wishes to promote his own political party or his own political fortunes.

Now, to come back to this article, when I had initialed the thing I hurriedly ran 3 or 4 blocks to the Pennsylvania Railroad Station and went home. I went to Washington and from there by truck to Florida. I have regretted ever since; I think I may say that it was imprudent and unwise to have written what I wrote in here, but I still have that document. I am in doubt about it.

Mr. MORGAN. As you know, Mr. Larsen, we are charged with the responsibility of inquiring into disloyalty in the State Department, and, Mr. Chairman, this article contains a great many assertions that

are of great pertinence. If Mr. Larsen has written this article or any part of it, I would want to ask him concerning the various statements made in the article. It is going to take a considerable period of time.

Senator GREEN. This is a good place to stop. It is 5 o'clock, and I am the only member of the committee that for the last half hour has been here, and I think it would be much better to have the others get the benefit of it.

Mr. MORRIS. Will the hearing begin at 10 or 10:15?

Senator GREEN. We will have the notices sent out for 10:15 tomorrow.

Mr. LARSEN. Mr. Chairman, may I apologize for any hasty tone of voice here? I am slightly nervous now. I should control myself better, but I resent some questioning that appeared to me as sort of leading up to something that is not within me. I cannot answer those things that way. I must answer them to the best of my ability.

Senator GREEN. We stand adjourned.

(Whereupon, at 5 p. m., the hearing was adjourned until the following day, Tuesday, June 6, 1950, at 10:15 a. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

TUESDAY, JUNE 6, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met at 10:15 a. m., pursuant to adjournment on Monday, June 5, 1950, in room G-23, United States Capitol, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee, and Mr. Robert Morris, assistant counsel of the subcommittee.

Mr. MORGAN. Apparently the arrangements for Mr. van Beuren's appearance on Wednesday are not completed. He called and has a board meeting, and wanted to know if Thursday would be all right.

Senator TYDINGS. No; it won't do. I have a conference on the military public works bill. He has to be here on Wednesday. This is more important than that. He was the fellow who complained that we were trying very hard to keep him from testifying, so I want to give him a chance. I don't think he will contribute anything that we haven't already got from Bielaski, but let's get him down here now and give him his chance. Tell him we have to have him on Wednesday.

Go ahead, Mr. Morgan. How far did you get yesterday?

Mr. MORGAN. Not too far.

TESTIMONY OF EMMANUEL S. LARSEN—Resumed

Mr. MORGAN. Yesterday we had some preliminary discussion, Mr. Larsen, relative to this article which appeared in the October 1946 edition of Plain Talk magazine. I now would like to direct your attention to some specific statements appearing in this article and ask your comments on them, and I read:

Behind the now famous State Department espionage case involving the arrest of six persons, of whom I was one, an arrest which shocked the Nation on June 7, 1946, is the story of a highly organized campaign to switch American policy in the Far East from its long-tested course to the Soviet line.

Is that your statement?

Mr. LARSEN. No, sir.

Mr. MORGAN. Do you have any observations to make concerning that statement?

Mr. LARSEN. Except that I presume Mr. Don Levine or Mr. Tolodano wrote it.

Mr. MORGAN. Yet it appears that this is your article; is that correct?

Mr. LARSEN. That is correct.

Mr. MORGAN. Again, on page 27 of this issue of the magazine is this statement:

In the course of my own explorations—
that would be your explorations—

I have uncovered sufficient material to convince me that further probing into the matter might assume proportions even more far-reaching than those of the Pearl Harbor investigation.

Is that your statement?

Mr. LARSEN. No, sir; I do not think that is my statement, as far as I remember.

Mr. MORGAN. I continue to quote:

It is the mysterious whitewash of the chief actors of the espionage case which the Congress has directed the Hobbs committee to investigate.

The statement "mysterious whitewash"—is that your statement?

Mr. LARSEN. No, sir. I have never used the word "whitewash."

Mr. MORGAN. This is attributed to you, however, this statement. Correct?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. Going on:

But from behind that whitewash there emerges the pattern of a major operation performed upon Uncle Sam without his being conscious of it.

Is that your statement?

Mr. LARSEN. No, sir. That was inserted by Mr. Don Levine.

Mr. MORGAN. Going on, at the top of page 28:

In consequence of this operation, General Marshall was sent on a foredoomed mission to China designed to promote Soviet expansion on our Asiatic frontier.

Is that your statement?

Mr. LARSEN. No, sir.

Mr. MORGAN. Had you at any time any thoughts about General Marshall's mission being foredoomed?

Mr. LARSEN. No, sir.

Mr. MORGAN. Going on you ask some questions here, as follows:

How did it come to pass that Washington since 1944 has been seeking to foist Communist members upon the sole recognized and legitimate government of China, a maneuver equivalent to an attempt by a powerful China to introduce Earl Browder and William Z. Foster into key positions in the United States Government?

Is that your question in the article?

Mr. LARSEN. That is a composite of a reference I made to American policy, the policy of suggesting coalition, and on the other hand Mr. Don Levine's words introducing Earl Browder into the picture. I never mentioned Earl Browder.

Mr. MORGAN. Another question asked here:

How did it transpire that your top-ranking military leader, General Marshall, should have promoted an agreement in China under which American officers would be training and equipping rebel Chinese Communist units at the very time when they were ambushing our marines and when Communists the world over were waging a war of nerves upon us?

Is that your question?

Mr. LARSEN. No, sir; that is totally Mr. Don Levine's question, because I objected to it when I saw the draft.

Senator TYDINGS. Is this published over Mr. Larsen's name? (Mr. Morgan handed the document to Senator Tydings.)

Senator TYDINGS. It was.

Mr. MORGAN. The next question:

Whose was the hand which forced the sensational resignation of Under Secretary of State Joseph C. Grew and his replacement by Dean Acheson, and was the same hand responsible for driving Ambassador Patrick Hurley into a blind alley and retiring?

Now, after these questions this statement is made, apparently attributed to you:

The answers to all of the questions came to me as I unraveled the main threads of the tangled State Department espionage case.

Do you have any answers to those questions?

Mr. LARSEN. I do not have the answers and I did not ask those questions. I wish I had the answers now.

Mr. MORGAN. I see.

Senator TYDINGS. Did he authorize the placing of those questions in the article that was to bear his name?

Mr. MORGAN. We went into that somewhat yesterday, Senator.

Senator TYDINGS. That is all right. Don't go into it.

Mr. MORGAN. I of course do not intend to refer to all of these statements in this article, since you have commented that it is not in conformity with the article that you submitted. However, there are certain portions that are rather pertinent to our inquiry here. I am referring to this statement which appears on page 28:

There I found myself sitting next to John Stewart Service, a leading figure in the pro-Soviet group in the China Section of the State Department.

Do you have information for us that Service was part of a pro-Soviet group?

Mr. LARSEN. No, sir, I do not. I do not believe that at this time, I never used the word "pro-Soviet," and my statement was "There I sat next to John Stewart Service"—cut!

Mr. MORGAN. Now, on page 30 of this article:

Probably not one informed American in 20,000 has ever heard of Amerasia, but those of us who had to do with research or policy-making in the field of our international relations in Asia were well aware of the potent influence this almost unknown publication exercised upon the conduct of American foreign policy.

Do you have any comment to make on that statement?

Mr. LARSEN. Yes, I do. To this day I cannot honestly say that it had a potent influence. It was present. I mentioned that it was present as a copy on practically every desk. I never said it had a potent influence.

Senator TYDINGS. Did it have a potent influence?

Mr. LARSEN. No, I don't think it did. It had a very slight circulation—2,000 copies.

Mr. MORRIS. You say it was on every desk in the State Department and Navy Department?

Mr. LARSEN. Yes. Anything on the Far East was on every desk, even Communist papers, anti-Communist papers and everything.

Senator TYDINGS. How many different things would there be on the desk in the course of a month?

Mr. LARSEN. I would say, of monthly publications, 20 or 30.

Senator TYDINGS. And this would be one of the 20 or 30?

Mr. LARSEN. Yes, sir.

Senator GREEN. Were there weekly publications and daily publications too?

Mr. LARSEN. Not including daily. That would run to much more. Newspapers and so on would be very large.

Senator TYDINGS. This is only the monthly?

Mr. LARSEN. Monthly and, say, half-monthly.

Mr. MORRIS. Was Amerasia sent around to the various desks as a sample of Communist propaganda or as an organ on far eastern information?

Mr. LARSEN. I don't know the purpose of sending it around, but I presume it was sent around as information of what was being said in the press and in magazines.

Mr. MORGAN. Was there any peculiar role given to Amerasia or was it but one of many publications that you referred to on far eastern affairs?

Mr. LARSEN. I don't think there was any peculiar role given to it, if you mean by Government employees. There was a very strong role given to it by leftists outside. They pushed it very hard.

Senator TYDINGS. Let me ask you, Was there put on the desk of those having to do in whole or in part with far eastern policy, particularly Chinese policy, all of the magazines, monthly or bimonthly or semimonthly, rather, that were published and available dealing with this particular area? Was there any magazine that was not put on your desk that dealt with this area?

Mr. LARSEN. Oh, no. It was very impartial so far as that is concerned.

Senator TYDINGS. You don't get my question. Was every magazine that was published dealing with the subject put on your desk?

Mr. LARSEN. Yes; every magazine.

Senator TYDINGS. So that there was not just selected magazines, but all of them that dealt with it, of which this was one?

Mr. LARSEN. That is right, sir.

Senator TYDINGS. Did it have any more importance than others had? Was it just like the others, or was it more important or less important, or what was its status?

Mr. LARSEN. I would say no more important, not the least bit more important than, say, Time or Life.

Senator TYDINGS. Was it as important as Time or Life or these others?

Mr. LARSEN. Not to me, sir.

Senator TYDINGS. All right. I don't want to divert you.

Mr. MORGAN. I shorten this, Mr. Larsen. I don't want to go through this article in its entirety because it is quite long.

Is it a fair characterization of your testimony here today to say that this is or is not your article?

Mr. LARSEN. It would be fair to say that it is not my article.

Mr. MORGAN. And yet this article attributed to you has been referred to, I believe, many, many times as an indication of subversive influences in our Government service; is that right?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. With that statement I think I will pass to some other matters here, Mr. Larsen.

In testifying before the Hobbs committee I believe you explained rather fully your card system and the purpose of it, is that correct?

Mr. LARSEN. Yes.

Mr. MORGAN. Have you recently familiarized yourself with the testimony you gave there?

Mr. LARSEN. No; I haven't.

Mr. MORGAN. Have you read it since its release?

Mr. LARSEN. I never get time to read it. Whenever I get started on it I get interrupted.

Mr. MORGAN. I see.

Suppose I ask you a few questions here that may help us a bit. I notice on page 7646 of the Congressional Record for May 22, 1950, which is indicated to be a part of the transcript before the Hobbs committee, this statement attributed to you:

Let me tell you, gentlemen, while we are at it, that some day taxpayers in the United States will demand an accounting for their money that will not include dozens of men duplicating what newspapermen have written and stamping it with confidential stamps, which is a lovely racket.

After 9½ years I would be able to guide you gentlemen to files in the State Department and the Navy Department that are just a laughing stock of intelligence reporting.

They are 4 months behind the newspapers. They are not correct copies. They are a product of so many young men who are given commissions and sent out to do a job about which they know nothing. Therefore, I never considered the information in my particular field, personalities, oriental personalities, of any great value.

What were you referring to specifically there, Mr. Larsen?

Mr. LARSEN. I was referring to the practice of trying to have a great number of secret documents put out. This practice was rather prevalent on the part of young officers. A man who could say "I wrote this week four secret documents and he wrote only three or eight restricted documents" meant he was a much smaller man. Therefore a great number of documents came in, and what were they? Let me give an example. They would come in marked "Confidential. Speech by Dr. Sun Fo in the Central Executive Committee." No mention of whether this was an open session or a closed session, and giving his speech. Then the document was dated May 11, and the speech was made May 9, and it is "Confidential. Transmitted for the information of the Secretary of the Navy."

The Secretary of the Navy never sees it. It goes to Intelligence, and the Director of Naval Intelligence never sees it. It goes finally to the analysts' desk. I don't get around to seeing it for some time, but then I read my Chinese newspaper, and then I see, on May 10, published in Nanking, Sun Fo's speech in great detail.

I am sorry to say I lose a little respect for the stamping of "Confidential" when that happens over and over. There isn't much humor in naval intelligence, but we had our daily constitutional laughing at the very, very ridiculous things that were said and done.

May I also point out that one of our junior naval men who went out to China begged me, "Let me copy a few hundred of your cards."

He went out to my cards, and what did he do when he came home? He sent dispatches home, verbatim copies of my cards, and I sat there like a fool with orders, "Larsen, enter in personality records."

Senator TYDING. Were they sent in "Confidential"?

Mr. LARSEN. They were sent in "Confidential."

Mr. MORGAN. The purpose of your statement here, then, is that in many instances documents were classified without justification. Is that correct?

Mr. LARSEN. Yes.

Mr. MORGAN. Further on in your testimony on the same page to which I just referred you were asked this question:

"You made notes from that correspondence?", meaning the correspondence in the Department with which you were associated.

You answered "Yes."

Did you remove any of those documents?

You answered:

No. I did take home a number of those that contained lists of personalities, the new Cabinet, and such lists I took home because I would not waste official time sitting doing it. I spent my time at home.

I notice your answer here is "No," yet as I understand your testimony yesterday you did take some documents home that did not relate strictly to personalities.

Mr. LARSEN. That is right. That answer "No" means that I did not take home those documents of which I made note. It was not necessary, then.

Mr. MORGAN. On page 7547 of the Congressional Record for May 22, 1950, I am quoting from your testimony, now:

When I finished up, we walked out together. We walked up Seventeenth Street, and we got all the way to Pennsylvania Avenue, and we were about—we had crossed Pennsylvania Avenue. We were near that drug store. We were about to go into that little restaurant there, Trianon, when he said to me, "Do you know Phil Jaffe?"

I said, "No, I don't."

He said, "You mean you never heard of him?"

I said, "It seems to me I have heard of him. I have seen his name somewhere."

He said, "He is an editor and owner of Amerasia magazine."

You said, "I read that."

In other words, are we to assume, or am I to infer from this testimony here, that the first knowledge that you ever had of Philip Jaffe was at the time you were introduced to him by Lieutenant Roth?

Mr. LARSEN. Yes, sir; definitely.

Mr. MORGAN. Had you not previously known of him in connection with Amerasia magazine?

Mr. LARSEN. No.

Mr. MORGAN. You had never associated the name "Jaffe" with Amerasia magazine?

Mr. LARSEN. No, sir; never.

Mr. MORGAN. On page 7548 of the Record you have made reference to information which Jaffe supplied you.

Mr. LARSEN. Yes, sir.

Mr. MORGAN. You say, "He did supply me a lot. On three occasions I was able to give important information to the State Department," and then you go on to relate one instance relative to a conversation between Edgar Snow and President Roosevelt.

Mr. LARSEN. Yes.

Mr. MORGAN. On what other two occasions, if you can recall, did Jaffe give you information that you regarded as of important significance to the State Department?

Mr. LARSEN. I can't remember. I don't know whether I stated it there or not.

Mr. MORGAN. No, you do not. You gave the one.

Mr. LARSEN. It is 5 years ago, and it is kind of hard to remember these things.

Mr. MORGAN. If you can't remember, you can't.

Mr. LARSEN. If I could, I would gladly tell you.

Mr. MORGAN. Hero is a statement in your testimony that I would like you to make any observations on you care to, again on page 7548 of the Congressional Record. You are reported to have said:

I relayed that—

meaning the conversation about Edgar Snow and President Roosevelt—

immediately to the State Department, hoping to observe what the reaction would be because I knew that the men in my section there in the Chinese Division were very, very keen on that policy to make it more than 50-50 and utilize and arm the Communists and let Chiang Kai-shek's government drop. I knew that, I was somewhat outside their gang, because I was not proleftist and pro-Communist, and they were all a little bit reluctant to confide in me. One fellow actually told me, "Vinson"—

I suppose Vincent—

"thinks you are reactionary and you are too close to these people."

What I would like to know, Mr. Larsen, apropos our inquiry, is, who were in this "pro-Communist gang" referred to here in your section of the State Department?

Mr. LARSEN. I don't like to call them a pro-Communist gang. I have always tried very hard to call them anti-Chiang. There was one man in particular who was extremely busy reporting that the Chinese Communists were then ready to receive arms from the United States Government. That was Raymond Ludden, First Secretary of the Embassy—Raymond Ludden, L-u-d-e-n. I don't think for one moment that he was pro-Communist. I despise the manner in which these words have always been pushed into my mouth. Whenever I talk to men who are violently antiadministration they always ask me, "You mean these pro-Communists?"

I say, "Well, I wouldn't call them that," but I always end up with this word being put in my mouth. Have you ever heard me say that?

Mr. MORGAN. Of course I have just met you in the last day or two.

Mr. LARSEN. I don't like the attitude, because I am not that harsh and partial. Mr. Ludden I believe was very sincere in recommending that the Communists be armed, because he thought it was in the interest of the United States. We were in a desperate war against Japan and Germany, and I myself was rather inclined to think that it might be a good thing to arm all the Communists, but I was afraid that they would take the arms and, after the war, just take over China. That was my fear. The others didn't seem to fear that.

Mr. MORGAN. That is what I am trying to get at here, Mr. Larsen. According to your testimony reported here you did make reference

to this group as proleftist and pro-Communist, and you made reference to someone putting those words in your mouth. Did someone put those words in your mouth?

Mr. LARSEN. May I suggest, I think someone did put those words in my mouth by means of leaving out other parts of the context. I don't think this is complete. Many things I said there I don't see there. I haven't read the whole thing through carefully yet.

Mr. MORGAN. Do I understand at this point that you are correcting or changing your testimony to the extent that you are not referring to this group as proleftist or pro-Communist?

Mr. LARSEN. I am referring to them as extremely anti-Chiang Kai-shek, and recommending a policy that would favor collaboration with the Communists.

Mr. MORGAN. And that is the sense in which you refer to it here?

Mr. LARSEN. Yes.

Mr. MORGAN. Also, on page 7548, is a statement on which I would like to have your observations, a statement attributed to you here:

So I think I was much more impartial than these people in the State Department who are forcing a pro-Communist policy so as to enhance their own little group at the head of which I consider Dean Acheson stands as a leader.

What comments or what observations do you have for our benefit concerning that statement?

Mr. LARSEN. No comments.

Mr. MORGAN. Do you still regard Dean Acheson as having been the leader of the pro-Communist group in the State Department?

Mr. LARSEN. No, sir; I do not. That would be fantastic and ridiculous. I have great faith in Mr. Dean Acheson. But at that time I thought, and I had been told a great deal about Dean Acheson being the principal person, and a rather highstanding person, who was willing to accept the reports of these people, whereas others treated them with a little bit of contempt or partiality. But Mr. Dean Acheson was a man to whom Mr. John Carter Vincent's policy made sense.

Mr. MORGAN. Yet, of course, we have here in black and white a statement attributed to you indicating that you considered Dean Acheson as the leader of the pro-Communist group in the State Department.

Mr. LARSEN. No, I never said that he was leader of the pro-Communist policy in the State Department, because I wouldn't say that. I may have said that he was the leader of that group in there that favored collaboration with the Communists.

Mr. MORGAN. This purports to be a transcript of the proceedings, Mr. Larsen.

Mr. LARSEN. It does? I don't know. I didn't see anybody transcribe anything at those meetings. There was no secretary present.

Mr. MORGAN. We have no other observations to make on this statement?

Mr. LARSEN. No, sir.

Senator GREEN. Excuse my interrupting. For my information, what is it that you are reading from?

Mr. MORGAN. This purports to be, Senator, the transcript of the proceedings before the Hobbs committee on the House side of the Amerasia case.

Senator GREEN. If that is a transcript it is supposed to be made by a stenographer, I take it.

Mr. MORGAN. Purportedly.

Senator GREEN. Then I think it is more particularly necessary to ask him about his statement that there was no stenographer present.

Mr. LARSEN. I don't think so. I didn't see any.

Mr. MORGAN. Manifestly someone must have taken down this testimony.

Mr. LARSEN. It is possible it was taken in some way or manner. I don't remember seeing a person with a notebook or Stenotype machine.

Mr. MORGAN. Of course we can ascertain those circumstances from the Hobbs committee.

I believe you stated yesterday, at least, that this testimony was not under oath. Is that correct?

Mr. LARSEN. That is also correct as far as I remember.

Senator GREEN. Is that claimed to be under oath?

Mr. MORGAN. There is no indication, Senator, as to whether the oath was or was not administered in the transcript itself.

Mr. LARSEN. I am pretty sure it was not.

Mr. MORGAN. There is a statement here, Mr. Larsen, that is not clear in the reading of it. That is, it is not clear to me, and I want to refer to it at this point, again from page 7548 of the record:

Mr. Hancock (Congressman Hancock) asked you this question:

Did you ever hear him say anything to indicate his feelings, Dean Acheson?

Mr. LARSEN. I never met Dean Acheson, but in discussing official affairs, I was a member of the policy committee for China and Manchuria. We often discussed things which were pooh-poohed as impossible. You could not put that over. Dean Acheson will never let that go over. Whatever that was, it was always not in favor of the Communists. He would not allow it to be put over. I will give you a concrete example. They are afraid of you gentlemen up there. We know that. We know that in all our policies. We have to not only consider the public, that is what they say, in America, but we have to consider what Congress would do to us if we went ahead with this.

This portion of it is not clear to me.

Mr. LARSEN. That is right. There is a mistake in there, quite obviously. "Pooh-poohed," and so on, and "always not in favor of the Communists" makes no sense.

Mr. MORGAN. But here is what I am referring to, this statement:

Dean Acheson will never let that go over. Whatever that was, it was always not in favor of the Communists. He would not allow it to be put over.

Mr. LARSEN. That is what I meant. He would not allow that to be put over. When they had a certain plan for closer collaboration with Chiang Kai-shek and expanding our aid and so on, then there was a strong tendency to pooh-pooh it and disregard it, and the word "Communist" should be inserted, otherwise it doesn't make any sense.

Mr. MORGAN. Further from your testimony before the Hobbs committee, as reported here, you say "I was with them at some lunch meetings." Here you are referring, I believe, to a luncheon meeting with some of these individuals that you referred to, in the Far Eastern Section.

Mr. LARSEN. That is right.

Mr. MORGAN (reading) :

* * * where they talked openly about defeating this crowd like Hurley, do everything to get him out. They sabotaged Hurley. You may take my word for that. They sabotaged Hurley. I have given certain little notes and evidence to Hurley that I had committed to memory and helped him with his

speech. It was a pity he did not launch it more systematically. He spoiled that for me.

Mr. Larsen, what I would now like to have for our record is any comments you have concerning your statement that "they sabotaged Hurley."

Mr. LARSEN. I will make it brief. I think they did sabotage Hurley.

Mr. MORGAN. Who is "they"?

Mr. LARSEN. Participating in that plot were John Carter Vincent, John Davies, John Stewart Service, Raymond Ludden, and John Emerson.

Mr. MORGAN. Any others?

Mr. LARSEN. I can't think of any others.

Mr. MORGAN. Will you indicate for our record the manner in which they sabotaged Hurley?

Mr. LARSEN. They made reports to the State Department that were in some instances almost the opposite of what Hurley reported, and they talked among themselves, and I overheard some of those talks to the effect that Hurley was making an ass of himself, and if they could only get rid of him.

Mr. MORGAN. Who made such a statement to you?

Mr. LARSEN. It is difficult to remember that now, exactly. But they were made by members of the group in the State Department. I am not trying to evade the question. For one thing, Mr. John Carter Vincent did make those statements.

Mr. MORGAN. I see. At the time that you are referring to here, were the men that you have mentioned in this country in the Far Eastern Section or were they abroad?

Mr. LARSEN. They had, most of them, come home here, because Hurley had reported unfavorably upon them and demanded that they be sent home.

Mr. MORGAN. Your use of the word "sabotage" here—would you care to make any further observation on that?

Mr. LARSEN. It is a very extreme word to use, but it was the closest description to the manner in which they worked against him in China and after they returned home.

Mr. MORGAN. You also indicate here something about a speech that you claim to have collaborated in preparing with Mr. Hurley. Would you tell us about the details and the circumstances on that? What speech was that?

Mr. LARSEN. I didn't get a chance to collaborate with him in any speech. The speech referred to is one he made before the Senate; I believe it must have been between the 1st and the 10th of December 1945, when I was down in Florida. I read about it in the newspapers while I was in Miami and I came back to Washington, and by that time the case had already been thrown out of the Senate, namely, Mr. Hurley's charges that he had been sabotaged by these young men in the field that I mentioned. So he originated that word and I sort of took it up and used it.

Mr. MORGAN. In point of time, is this roughly at the time that Mr. Hurley appeared before the Senate Foreign Relations Committee?

Mr. LARSEN. That is right. I was not in Washington at that time. And may I add that when I came back, since I know Hurley very well, I went to see General Hurley at his office and I said, "I am very sorry

that you kind of went out on a limb. If you wanted to make any statement on that you should have had some documentation or something vivid in your memory and fresh in your memory that you could use to pin down the contrary actions of these men you attacked."

I had a few things jotted down on the way home from memory, things that Service had said in his reports that were just suspiciously contrary to what I knew to be the truth.

Mr. MORGAN. In other words, any implication here that you did collaborate with Mr. Hurley in the preparation of his speech is in error?

Mr. LARSEN. In error. I did not collaborate, because I do not know of any speech he had made after I saw him.

Mr. MORGAN. Also in your testimony here you have made reference to a paper prepared on Manchuria, and you testified:

A man called Robert Feary, an economist, working in Japan, he had an unadulterated nerve to write a paper on Manchuria. They let him write it, not me, because he was the man who would supply them with the motion they wanted.

Would you care to elaborate on that statement?

Mr. LARSEN. Yes, sir.

Bob Feary, a young and wealthy boy from a good family, and I would say a very fine boy, definitely not a Communist and with no pro-Communist leanings, was in the Research and Planning Unit and on the Policy Committee. His position was, by virtue of the fact that he had at one time been Ambassador Joseph Grew's secretary in Japan, private secretary. He was placed on the Policy Committee and he knew nothing about China nor about Manchuria. He had never worked with it, never studied it. I had studied Manchuria all my life. I am one of the few Americans who had attended Chinese military academy to specialize in Chinese military geography. I taught that to naval officers during the war, and I was sure I would get to write the Manchuria paper.

It is a very important point that at that time we did not know about the atomic bomb, and the plan was to invade China and move northward and capture Manchuria from the Japanese, and the problem posed in the Policy Committee was, "What shall we do if we take Manchuria and Chiang Kai-shek's troops cannot get up there and take it over, because the Communists are in between. To whom shall we hand it? Would Congress and the Senate consider at all our indefinite holding of Manchuria? They probably would not, so we must evolve another policy.

Should we hand it to any local group qualified to take it over, even the Communists?

I did not see those problems and those questions until the day of the meeting. Then Dr. Blakeslee handed me a copy, and I looked at it and I said, "Good God, Bob Feary wrote this paper. What the hell does he know about Manchuria?"

Well, I discussed it with various people around there, and it was generally whispered to me that Mr. John Carter Vincent had written it for him.

Mr. MORGAN. Did you know that Mr. Vincent did write it in fact?

Mr. LARSEN. I do not know, but I was told so up there.

Mr. MORGAN. You resented the fact that Mr. Feary wrote the article?

Mr. LARSEN. Yes, I resented the fact. I didn't care otherwise. I just thought it was a mark of inefficiency in the Division.

Then I noticed that Mr. Feary recommended, "If there are no other local groups in Manchuria to take over after the war, we should hand Manchuria to the Communists." So when we got into the meeting I sat next to Mr. Drumwright, and I whispered to him, "Are you going to let this go?"

He said, "No."

So I said, "Make a motion."

I know how the State Department men hate to be the first to make a motion on a very critical problem, because next year they find that fellow over their head as Ambassador and have unpleasantness, so he nudged me. I wasn't a career man. He nudged me and said, "You make the motion." So as soon as the paper had been read and Dr. Blakeslee asked the question, "Any remarks?" I held up my hand and said, "I think that this paper should be thrown out, for the simple reason that we have recently been briefed on the decisions of the Cairo Conference, whereby Manchuria and Formosa are to be given back to China, and I understand that to mean the properly constituted and legally recognized Government of China, and not a minority group or the group in rebellion against that government."

And then Dr. Blakeslee said, "Do you care to make a motion?" and I said, "Yes, I make a motion that it be thrown out on those grounds." I thought that was perfectly fair.

Then he said, "Well, we have gone this far. Does anyone want to second this motion?"

Mr. Drumwright said, "I second the motion."

Eleven men voted on it. Fortunately there were a number of men from the Japanese section who were present at that meeting and they never had the slightest leanings toward favoring Communists or even utilizing them. They were wary of the Communists, and they voted in favor of my motion and it was promptly dropped, and Mr. Feary got rather mad and tore it up.

Mr. MORGAN. I believe someone has indicated, in your testimony, you were told, you would get it in the neck for that. Is that right?

Mr. LARSEN. Yes. There was a young gentleman there, Beppo Johanson. Just like myself, he was of Danish parentage, born in Clearwater, Fla. He was a very, very tall man. I think he was six feet five and a half, and he came up to me and said, "Jimmie, I just heard the boys say they will get you for that." I never did ask Beppo Johanson exactly what boys said that, because I had a fairly good idea.

Mr. MORGAN. Did anybody get you, or did you get it in the neck as a result of that?

Mr. LARSEN. Well, that wouldn't be fair to say, that they got me. They have certainly ostracized me and in accordance with evidence that I gave you yesterday I want to be quite fair on that subject. I was responsible for my own removal from the State Department.

Mr. MORGAN. You yourself was responsible?

Mr. LARSEN. Yes, I was. For one thing, I resigned. But of course I would have been dismissed after the November 2d hearing in court, I am sure of that.

Senator LODGE. Because of the documents, you mean?

Mr. LARSEN. Because of the admission that I had loaned documents to Jaffe. Therefore I am not the vindictive type that will go around and claim that those men got me. I don't maintain that. I don't think they like me to this day, but it doesn't worry me. It is not of political significance.

Mr. MORGAN. Again you state here, Mr. Larsen, and I quote—

It was his reports—

meaning John Stewart Service's reports—

and John Davis' reports and John Emerson's report and Loftin's reports—

Mr. LARSEN. Ludden's.

Mr. MORGAN. It is "Loftin's" here. Should it be Ludden's?

Mr. LARSEN. Yes.

Mr. MORGAN (reading) :

* * * and Dick Service's brother's reports that flooded the State Department with pro-Communist arguments—

Mr. LARSEN. See how inaccurate!

Mr. MORGAN (reading) :

* * * namely that China, the Chinese people, had had political tutelage under the one-party government too long, and it was time for China to have a vote and a constitution and be free.

In view of this characterization of their arguments as pro-Communist and in the light of the testimony that you have given previously on such observations, what do you have to say concerning this testimony here, if anything?

Mr. LARSEN. I would say that I did say "pro-Communist" because I had in mind the transmission of the exact wording of Mao Tse-tung and Chu Tih's opinions on the Chinese Government. I considered that.

Mr. MORGAN. Are we to infer from this statement that you regarded these men as individuals as being pro-Communist?

Mr. LARSEN. No, but they transmitted pro-Communist statements. That does not necessarily say they were pro-Communist.

Senator TYDINGS. Are you referring to them or to the statements that they transmitted?

Mr. LARSEN. To the statements they transmitted.

Senator TYDINGS. Do you mean by indirection that they, too, were in the same category, that is, pro-Communist, as the statements which they transmitted, or do you not mean it? What do you mean?

Mr. LARSEN. I do not mean it.

Mr. MORGAN. In your testimony before the Hobbs committee as reported on page 7549 of the Congressional Record, May 22, 1950, we have reference made to Michael Lee, an employee of FEA, in which you say—

* * * I discovered he was one of the closest contacts with Jaffe. When Jaffe came down he spent most of his time with him.

Have you met Michael Lee?

Mr. LARSEN. Yes, I met him on a few occasions.

Mr. MORGAN. On occasions when you were with Jaffe?

Mr. LARSEN. No.

Mr. MORGAN. How do you know of the fact that when Jaffe came to Washington he spent most of his time with Michael Lee?

Mr. LARSEN. Jaffe told me so—not most of the time. That word I don't like. That would be stupid—"most of his time." I didn't say that.

Mr. MORGAN. What did Jaffe say?

Mr. LARSEN. He spent time with him. He met him. He told me on several occasions, "I am meeting Michael Lee today. Do you know him?"

I did not want to comment on him, so I just said, "I know him."

Mr. MORGAN. After your comments on Michael Lee you say this:

Where do you suppose he

meaning Jaffe—

got the FEA material? He certainly has his contacts.

You asked that question?

Mr. LARSEN. That's right. He didn't get it from me. I saw it in the FBI, and I presume he got it from Michael Lee, who was in the FEA.

Mr. MORGAN. Did Jaffe ever indicate to you that he did get it from Lee?

Mr. LARSEN. I do not have any recollection of it, no clear recollection of that.

Mr. MORGAN. You cannot, of your own knowledge, I assume from your statement, help us any as to where Jaffe might have received these FEA reports other than the suggestion that he knew Michael Lee?

Mr. LARSEN. No; I cannot say for certain. I knew he also knew Michael Lee's boss, namely Benjamin Franklin Ray.

Mr. MORGAN. At any time did you receive any information that Lee was given Jaffe reports?

Senator TYDINGS. I think you ought to ask Mr. Larsen whether Jaffe ever disclosed where he got any one or more of the reports that he might have seen or discussed together, other than the ones he brought.

Mr. MORGAN. While we are on the question, do you have any information, Mr. Larsen, that would assist us in ascertaining how Jaffe obtained any of the documents or material other than that which you gave him?

Mr. LARSEN. No, sir; never.

Senator TYDINGS. He never told you?

Mr. LARSEN. He never told me.

Mr. MORGAN. And you have nothing to assist us in that respect?

Mr. LARSEN. Nothing at all.

Mr. MORGAN. You did testify, I believe, before the Hobbs committee, on page 7550, as follows, referring again to Michael Lee and to Jaffe:

He did not state what he was getting from them. He said to me, "I am meeting Michael Lee this afternoon. I want to get from him the story of whether T. V. Soong raised 200,000,000 men."

Mr. LARSEN. Two hundred million dollars.

Mr. MORGAN. What did you understand that observation of Jaffe to mean?

Mr. LARSEN. I did not know what it meant. He merely said that, and I wondered. It aroused in me some suspicion, but that is all.

Mr. MORGAN. Again referring to Jaffe, here is some testimony. Congressman Springer, I believe, asked you this question:

After you became convinced that he was a Communist, then you went ahead and dealt with him?

Mr. LARSEN. No; that was after having dealt with him from March 1944. I had very little to do with him at the time this arrest occurred.

And yet, Mr. Larsen, the FBI surveillances show that you were with Mr. Jaffe on May 28 and May 29 of 1945, only 7 or 8 days before the arrest. What comment do you have to make in light of this statement before the Hobbs committee?

Mr. LARSEN. I think that is an unintentional misstatement that I had very little to do with him. There was at the time a discussion between my wife and me concerning Jaffe. We read an article—I don't remember what article it was—in Amerasia that was so very pro-Communist that we talked about dropping Jaffe, and I decided then that I would limit myself to the very meagerest personality information and try to eventually get out of dealing with him. My specific idea was to confront him one day with the fact that he had given me so little information on the Communists, which he had agreed to do, that I wasn't getting from him what I wanted.

Mr. MORGAN. It still remains, however, that according to the Hobbs committee record you indicated that in March of 1945 you became convinced of Jaffe's pro-Communist connections.

Mr. LARSEN. March 1945?

Mr. MORGAN. Yes.

Mr. LARSEN. Yes. That is the beginning of my suspicion. To say "convinced" is a little too strong. It would take a lot to convince me. I was convinced after the case broke, when a number of people showed me Jaffe's record; namely, in the Un-American Activities report, which clearly showed that he had been a member and even president of a number of front organizations listed as such by the Justice Department, and that he had taught school in the Jefferson School, which I am convinced is a pro-Communist organization.

Mr. MORGAN. Of course, you did not know that back in March of 1945.

Mr. LARSEN. No; I didn't. I was not an investigator, and if I had been anywhere and asked them, "Give me a report on Jaffe," no one would have given it to me.

Mr. MORGAN. Irrespective of those considerations, the fact remains that after March of 1945, when you have here indicated that you considered Jaffe as being disposed toward communism, you did continue to make contact with him right up until 7 or 8 days before you were arrested.

Mr. LARSEN. That is about the time when I confronted him with the rather blunt question, "Are you a Communist or pro-Communist?" and he denied it.

Mr. MORGAN. Also in the Hobbs committee record there is something I would like to get cleared up. You were asked a question by Congressman Hancock as follows:

The charge says you unlawfully removed documents and records from the departments and agencies of the Government.

You did not take any originals?

Mr. LARSEN. That is right.

Is that a correct statement, Mr. Larsen?

Mr. LARSEN. Yes; to the best of my memory that is a correct statement.

Mr. MORGAN. Isn't it true that a great many of these documents in the State Department were ozalid copies or hectograph copies; that any one of them might have been regarded as the original?

Mr. LARSEN. Oh, no, sir. No, sir. The distinction is, the original is signed by the ambassador or the reporter out there in the field, and the ozalid copies are reproductions of them made in the State Department.

Mr. MORGAN. You regard, then, that the distinction is to be drawn between the document as such and the information which the document contained?

Mr. LARSEN. Yes.

Mr. MORGAN. What distinction is there that is meaningful in a situation of this kind? It is the information that has the significance, isn't it?

Mr. LARSEN. The distinction is that the original was intended for the State Department file as a permanent record. It eventually goes into the Archives, and it is inviolable, whereas the copies are rather freely distributed.

Mr. MORGAN. You meant also in the Hobbs record that there was great laxity in the State Department insofar as security was concerned?

Mr. LARSEN. Yes.

Mr. MORGAN. Two members of our committee particularly are very much interested in that problem. Would you care to give for us some indication as to wherein the security regulations were very lax at that time?

Mr. LARSEN. For one thing, the filing cabinets were not good. I won't have to repeat, I think, what I said about putting keys and locks on them.

Another thing was the too free distribution of copies. Very often when I requested one photostat or ozalid copy I got three instead, and then usually I would turn around and say, "Does anybody here need a copy of this here? I have an extra copy, or two extra copies."

Then someone would say, "Yes; let me have a copy of that." What happened to those copies, I don't know. If they didn't want them, I tore them up and put them in the "burn" basket.

Mr. MORGAN. Anything else?

Mr. LARSEN. With regard to laxity?

Mr. MORGAN. Yes.

Mr. LARSEN. I hate to involve personnel in general, but there was quite a lot of purloining of copies by members of the staff whom I believe to have been quite sincere in their attempt to keep things that they specialized in in their private files, because in the official files they very often went to Archives and it became very hard to get hold of them when they wanted them suddenly. There were their pet hobbies and reference files, in other words.

Senator GREEN. Are you finished with that?

Mr. MORGAN. With that point; yes.

Senator GREEN. I would like to ask a question or two on this question of security.

Were you given any general instructions as to security?

Mr. LARSEN. Yes; we were given instructions to lock the cabinets and all containers of documents before leaving the office, and to leave nothing on the desk and nothing in drawers. I think we all took pretty good care of that, although the system, as I said, was not quite adequate, physically speaking. We left the office every day punctually at 4:30. Only when we were in meetings and we got back to the Walker-Johnson Building were we actually late in the office, sometimes until 5 or 5:30 or 6, even. But I know that at 6 o'clock the whole picture in the office would change; namely, that the night staff would come on duty. I mean the night watchmen, and they were responsible for what they called a secure office; namely, that everyone was out of the office and that all files were locked.

Senator GREEN. What instructions were given you as to security?

Mr. LARSEN. There were some instructions circulated referring to exactly that system; and, of course, there were also suggestions; there were also instructions to the effect that documents were not to be carelessly handled.

Senator GREEN. Were there any instructions given you as to keeping secret what you learned?

Mr. LARSEN. Yes.

Senator GREEN. Who gave them?

Mr. LARSEN. I don't remember exactly who issued the instructions.

Senator GREEN. Were they in writing or oral?

Mr. LARSEN. There was a security staff that issued those instructions.

Senator GREEN. Were they in writing?

Mr. LARSEN. Yes; they were in writing. They came from time to time when certain laxity had been discovered. Then there were new reminders.

Senator GREEN. Did any of these refer to taking copies from the office?

Mr. LARSEN. No, sir; I don't remember any instructions to that effect. But, to be quite fair, I am sure that would be implied in the general security instructions.

Senator GREEN. Do you think they were adequate?

Mr. LARSEN. Yes; I think they were adequate, and I cannot blame the instructions for my own violation of them. I cannot say that I found a legal loophole. I don't want to do that.

Senator LODGE. Have you concluded?

Senator GREEN. Yes.

Senator LODGE. Do I understand, Mr. Larsen, that in March 1945 you came to the conclusion that Jaffe was a Communist? Is that right?

Mr. LARSEN. No; that is not quite right. I started to suspect that he was, if anything, strongly pro-Communist.

Senator LODGE. Did you come to a more definite conclusion later?

Mr. LARSEN. Yes; I did.

Senator LODGE. When about?

Mr. LARSEN. Immediately after the case broke, when I read the papers and found that his wife was a member of the Communist Party, according to the papers, a card-holding member.

Senator LODGE. About when was that?

Mr. LARSEN. Oh, I have a lot of clippings. I suppose it was about June or July 1945.

Senator Lodge. Did you cease giving him any information at that point?

Mr. LARSEN. Oh, yes.

Senator Lodge. Did you?

Mr. LARSEN. Completely.

Mr. MORGAN. That was after the arrest?

Mr. LARSEN. Yes.

Senator Lodge. But you were giving him information right up to that time?

Mr. LARSEN. Yes.

Mr. MORGAN. In your testimony before the Hobbs committee there is reference to former Ambassador Grew that I would like to comment on. You say, "I want to add something about that Bob Feary story, the story on Manchuria. Bob Feary is said to be the nephew of Mr. Grew, the one who suggested that we throw Manchuria to the Communists."

Would you care to make an observation concerning that statement that Mr. Grew suggested throwing Manchuria to the Communists?

Mr. LARSEN. Not Mr. Grew; Mr. Feary, you mean.

Mr. MORGAN. The statement is, "Bob Feary is said to be the nephew of Mr. Grew, the one who suggested that we throw Manchuria to the Communists."

Mr. LARSEN. That is bad grammar. It refers to Mr. Feary.

Mr. MORGAN. Then you are not referring to Ambassador Grew?

Mr. LARSEN. Oh, no; definitely. I have great faith in Mr. Grew as a very strong anti-Communist.

Mr. MORGAN. Congressman Hancock asked you this question:

Did you ever observe any activity on the part of David Niles?

Mr. LARSEN. I heard his name mentioned. I know Mr. Roth is rather sick with him—

is the way it is reported here.

Mr. LARSEN. "Thick."

Mr. MORGAN. Will you give us a little more information concerning the relationship between Mr. Roth and Mr. Niles as you know it?

Mr. LARSEN. Before the case broke I didn't know Mr. Niles' name, even. When the FBI questioned me on the night of June 6, they asked me, "Do you know a man by the name of Niles?"

I said, "No."

"Now come on, come on, Mr. Larsen. Do you know a man by the name of David K. Niles?"

"No, sir. It doesn't ring a bell anywhere to me."

"You must know a man by the name of David K. Niles."

"No."

Then I heard them say to the stenographer, "Strike that from the record."

So, when I was released from the District jail and went home, I said to my wife, who is much better up on American politics than I am, "Who is David K. Niles?"

She said, "Oh, don't you know him?"

I said, "No, I don't. I don't even know of him."

She said, "He is said to be an adviser to the White House."

"Oh," I said, "now I understand why they struck it from the record."

Then later, after the case had broken and after the case had been settled, sometime either late in 1945 or early in 1946, I heard that Roth was very thick with David K. Niles, and I merely made that statement because they asked me about David K. Niles. That accounts for this.

Mr. MORGAN. This statement in your testimony that Roth was thick with David Niles was not obtained through your relationship and association with Roth; is that correct?

Mr. LARSEN. No, sir. He never mentioned it.

Mr. MORGAN. You said someone told you that later on?

Mr. LARSEN. Yes.

Mr. MORGAN. Who told that to you?

Mr. LARSEN. I don't remember who told me.

Mr. MORGAN. We have in the record here, Mr. Larsen—and this is the reason I am commenting on it—the point-blank statement, "I know Mr. Roth is rather thick with him," meaning Niles. Now, would you indicate again how you know that?

Mr. LARSEN. I am trying to think of who it was who told me that.

Mr. MORGAN. Someone told you?

Mr. LARSEN. Yes; someone told me that. I cannot be sure, but there was a Jewish lady by the name of Loretta Aprill who lived very near our apartment house, and they were friends of the Roths. I knew that before the case broke. The Roths very often came to see them, and while they were both right there near Harvard Street, just half a block from our apartment house, Roth on two occasions came down to see us, and I remember after the case broke I met Loretta Aprill on the street and she told me a great deal about Roth and poured out her story about how she thought Roth was a Communist, and that her husband had been somewhat inclined that way, and she was divorcing him, and a lot of gossip and a lot of talk, and I merely made that statement.

Mr. MORGAN. Are you saying now that she is the one who told you this?

Mr. LARSEN. I remember that she told me a lot about Roth, but I do not remember clearly whether she was the one who told me that Roth and Niles were friends.

Mr. MORGAN. Your statement, "I know Mr. Roth is rather thick with him," meaning Niles, that statement, must be qualified by the observation that someone now unidentified told you that after the arrest; is that right?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. Can you give us any further help on that at all?

Mr. LARSEN. No, sir; I can't.

Mr. MORGAN. You also state here that you came to the conclusion that Roth is the real Communist, and Phil Jaffe is a man who has money. Have you changed your mind about Jaffe, from your testimony previously, where you indicated he was pro-Communist?

Mr. LARSEN. No, sir; I have not changed my opinion about Jaffe. I suspect that he has been involved with Communist organizations, or front organizations, but I have to this day to see anyone prove that he was a member of the Communist Party.

Mr. MORGAN. Have you seen anyone "prove" that Roth has been a member of the Communist Party?

Mr. LARSEN. I have not had anyone prove that.

Mr. MORGAN. What did you mean, then, when you said that you came to the conclusion that Roth is the real Communist, and Phil Jaffe is the one who has money?

Mr. LARSEN. That is my personal opinion, and still is, that Roth is a Communist, and he is the principal conspirator in this case.

Senator TYDINGS. You have formed that opinion based on what thing?

Mr. LARSEN. I formed it based on his actions after he was arrested in the Amerasia case.

Senator TYDINGS. What was his action after he was arrested?

Mr. LARSEN. Teaching in a pro-Communist school, the Jefferson School, and his presence right now with Ho Chih Minh in Indochina, the Communist leader of Indochina.

Senator LORER. Is that where he is now?

Mr. LARSEN. Yes, that is where he is now.

Mr. MORGAN. On page 7551 of the record you make reference here to some difficulty that you had in securing Federal employment, and you state that Mr. Ray Richards, of the New York Journal-American, a friend of Congressman Dondero's, had something to do with your failure to secure employment.

Mr. LARSEN. Yes, sir.

Mr. MORGAN. Would you give us a little information on that?

Mr. LARSEN. In March of 1948 I had the very happy experience of being called to the War Department. They wanted men to go out to Korea. The plan at that time was that the northern and southern zones were to be amalgamated and governed jointly. The plan fell through, and although I had already been given my shots and was ready to go, I did not go. I was told, "You are not needed now."

However, the manner in which I believe I really lost that appointment was as follows: Just when I was ready to go, Mr. Dondero started a move to reinvestigate the Amerasia case, and the first newspaper contact was Mr. Ray Richards, of the New York Journal-American, and he published a little article just a day or two after I had had my shots and said, "Now why should the administration send a Communist to Korea?"

So I rushed up to Dondero, and Dondero wouldn't talk to me. He treated me like a Communist, and he started to walk away from me, and I ran after him on the floor and begged him, "Please listen to me. I am no Communist."

That was my introduction to Dondero. And from Dondero's office I went straight down to Mr. Ray Richards, and when I went in and introduced myself he said, "So you are Larsen. How much did Joe Stalin give you to betray this country?"

And I had a royal row with Mr. Ray Richards, and told him that I thought he stank as far as American newspaper reputation was concerned. "I came home from China with the idea that American newspapermen investigate before they make statements. You are a bad example of one. You haven't asked me a single question."

So he said, "All right, I will ask you some questions."

So I said, "Would you care to ask me to sit down?" and he did, and we talked over this matter and I gave him as impartial views as possible. He also tried to make me state that the State Department

was filthy with Communists, and I told him I didn't believe so. I do believe that there were a great number of them enthused with the Communists, and I said, "Don't forget, Ray Richards, that we were at war and they were our allies. Whether it is a conspiracy as you think, and whether it is a pro-Communist group, that is yet to be proved."

We have since become friends, and Mr. Ray Richards very often calls me; he wants a little material, a little information, and I am sure Mr. Ray Richards will tell you I am no Communist, but I had terrible trouble with these people and I lost my job.

Mr. MORGAN. In the Hobbs record also there is something I would like to get cleared up. There is an indication here that you were going to supply to that committee the names of other individuals, other contacts of Jaffe, that may have supplied Government documents to him.

Mr. LARSEN. Yes, sir.

Mr. MORGAN. I refer particularly to Congressman Chelf's statement—

The main thing, as I see it, is that you give us, for the record, a list of the names of the fellows from whom Jaffe was getting these other data and secret confidential information. He said he could get those for us.

As I understand your testimony, you have nothing further to give on that score, is that right?

Mr. LARSEN. I do not have anything further to give on that score.

Mr. MORGAN. You do not know of anyone else, other than yourself, who may have supplied documents to Jaffe, is that right?

Mr. LARSEN. That's right. What I had in mind was to tell them simply the names of the people that Jaffe has said he frequently saw when he came to Washington.

Mr. MORGAN. Who were they, for our record?

Mr. LARSEN. They were Mr. Benjamin Franklin Ray, of FEA.

Mr. MORGAN. That is the superior of Mr. Michael Lee, or was then?

Mr. LARSEN. Of Michael Lee, and John K. Fairbank and his wife Wilma. John K. Fairbank was in OWI and his wife Wilma was in the Educational Cooperation Section. By no means are they being alleged by me to be suppliers of information.

Senator TYDING. Or alleged to be Communists?

Mr. LARSEN. No, sir.

Senator TYDING. I mean, when you say they are friends of Jaffe's, do you connote anything that is un-American, disloyal, Communist, suppliers of Government information, or any of those things? I would like to know it.

Mr. LARSEN. I do not. I will take them one by one. I do not think John Fairbank is a Communist.

Senator TYDING. You do not have to take them one by one. Take the ones that you do think are Communists. If the others aren't, you can blanket them together. I want an answer one way or the other.

Mr. LARSEN. The only one whom I did at one time think was favorably disposed toward the Chinese Communists was Michael Lee. I do not know the others. I never had anything to do with them. I merely know them as names.

Mr. MORGAN. Any others, besides the three you mentioned?

Mr. LARSEN. No, sir.

Mr. MORGAN. Those three?

Mr. LARSEN. I can't think of any others.

Mr. MORGAN. Are the extent of Jasse's friends here, so far as you know?

Mr. LARSEN. That's right.

Mr. MORGAN. After having made some statements back in your testimony here, Mr. Larson, about the expression "pro-Soviet" and "pro-Communist" and "proleftist," which you have to a degree disavowed here this morning, I notice on page 7553 of the Hobbs committee record you make this statement:

"These fellows are selfish." You are here referring to the individuals you mentioned in the Far Eastern Division of the State Department. "I do not believe these men are truly pro-Communists. I do not think Vincent is really pro-Communist in his heart. He is just an ambitious person meaning to utilize that at some future date just like they say Acheson has schemed to use it."

In view of this testimony there, how do you reconcile that statement with the obvious inferences from what you said previously concerning the pro-Communist gang or proleftist gang in the Far Eastern Division of the State Department?

Mr. LARSEN. I reconcile it in this manner, that I was not well up on American politics, but I was told by quite a number of people that Mr. Acheson was extremely ambitious and that he would sometime become Secretary of State. I remember when I repeated that to Don Levine he said, "Oh, nonsense! He will never be Secretary of State."

Well, it so happened that he did become Secretary of State.

I knew that John Carter Vincent was very ambitious. His background was that of a clerk who eventually became an officer of the State Department. He is a brilliant man.

Senator TYDINGS. He is a brilliant man?

Mr. LARSEN. He is a brilliant man. Some of his dispatches that I read, or rather some of his summaries, were excellent. They were clear, and I agreed with him in many points, and I disagreed on some points. But in general I would say that he was a darned good man in that position there.

There were other men that I thought less of. I didn't think they were very clear or well-informed.

Mr. MORGAN. Inasmuch as the names of several individuals have been mentioned in the course of your testimony here, I would like to ask you a specific statement with respect to each one of them, and of course you can elaborate as you care to in your answer.

Do you regard, or did you ever regard, John Service to be a Communist?

Mr. LARSEN. No, sir; nor do I now.

Mr. MORGAN. Did you ever regard John Davies to be a Communist?

Mr. LARSEN. No, sir; never.

Mr. MORGAN. Did you ever regard Emerson to be a Communist?

Mr. LARSEN. No, sir.

Mr. MORGAN. Did you ever regard John Carter Vincent as a Communist?

Mr. LARSEN. No, never.

Mr. MORGAN. Did you ever regard Ludden as a Communist?

Mr. LARSEN. No, sir.

Mr. MORGAN. Any one of these men to whom you have referred in the Far Eastern Section of the State Department, do you regard any of them now or in the past as being Communists?

Mr. LARSEN. No, sir; I do not.

Mr. MORGAN. I have a few questions that I think will wind up my interrogation on this point, Mr. Chairman. I would like to go back to the proceedings following your arrest, the proceedings affecting you. I believe you entered a plea initially of "not guilty."

Mr. LARSEN. That is right.

Mr. MORGAN. Is that correct?

Mr. LARSEN. That is right.

Mr. MORGAN. And that the plea was subsequently changed to "nolo contendere"? Is that right?

Mr. LARSEN. Yes.

Mr. MORGAN. Will you relate for this committee the circumstances attending the change in that plea from "not guilty" to "nolo contendere"? How did that come about?

Mr. LARSEN. I don't remember the exact date when Mr. Hitchcock of the Justice Department first broached the subject to myself and my attorney, Mr. Arthur Hilland. But I believe it must have been late in September, just around the time when Mr. Jaffe entered his plea of guilty and was fined in the court—somewhere around the 20th or 28th or 29th of September 1945. Mr. Hitchcock pointed out to me that in legal history the connotation involved in a nolo contendere plea was such as would relieve the person involved of having the responsibility of pleading guilty, and that after the plea it was possible to enter a not guilty plea on collateral subjects or questioning.

I did not like the idea. My attorney advised me against it, and briefed me considerably on the legal points.

Senator TYDINGS. This was before you filed a motion to quash, was it?

Mr. LARSEN. Yes, sir. That before I filed the motion to quash.

Senator TYDINGS. Go ahead.

Mr. LARSEN. Then I might mention I filed the motion to quash, and immediately the proposal was brought to me a little more strongly by the Justice Department, and my acceptance, my final acceptance, of that plea or that proposal to make that plea, was guided by several facts. One, I was very sick at that time. I was extremely thin. I was losing weight. I normally weight 162. But I was down to about 130. And I could not sleep at night. I worried about what would happen to me and to my family.

I also had no money. I had no more income. And I tried desperately by being a salesman and so on to pick up \$5 here and \$10 there and get the groceries in. I owed my lawyer \$2,000, and Hilland is a good soldier. He said, "All right, I will fight the case for you, and don't worry about the money."

But, then, when the Justice Department made the proposal I talked it over with my wife very lengthily for a few days, and we finally decided when the Justice Department suggested that I could get out of it very easily by allowing Mr. Jaffe to pay my fine, I told them "No, I don't want to get involved any more with him," and they said, "Mr. Jaffe has been to us and explained that he feels very guilty about having sought you out through Mr. Roth, and he feels that if he had

never started this exchange of personality business you would never have been involved in the Amerasia case."

I certainly believed that.

"He has money and you have nothing, and he doesn't feel legally responsible but a certain moral responsibility. He likes you, and he would like to pay your fine and remunerate you for your expense, namely \$500 on a \$10,000 bail." That was a really hard thing to raise over night. And the court transcript expenses, \$20 or \$30, and the \$2,000 fee to the attorney.

Well, I went back one day and told the Justice Department, "I am going to make such a plea. To hell with the consequences. I will move out of Washington and I will drive a taxi or do anything to earn a living."

So we went ahead with that, and very quickly thereafter I was informed to appear before Justice Proctor. But, gentlemen, I did not know that there was a side play; I did not know that I had caused quite an explosion by making that motion to quash the case, because of illegal entry and the illegal obtaining of evidence. I did not know that I had caused such a commotion, nor did I know that when I went with my lawyer some time in September, late in September, about a week before Jaffe's case was settled, nor did I know that while I was talking to Hitchcock, in the next room Jaffe and his lawyer were present discussing their possible plea.

Senator TYDINGS. But this was after you filed the motion to quash that the two of you were in adjoining rooms?

Mr. LARSEN. Yes, that's right. I did not know that, and of course I love to emphasize that fact that I did not associate with Jaffe and run to him and tell him "Here is what I am doing. What are you doing?" because I never had any relations with other members involved in the Amerasia case nor their attorneys.

Mr. MORGAN. Were there any other considerations responsible for your going along with this plea of nolo contendere?

Mr. LARSEN. No, sir; I don't believe there were.

(Discussion was off the record.)

Mr. MORGAN. Are there further considerations responsible for your having pleaded nolo contendere in this case?

Mr. LARSEN. Yes; there is one other consideration which nearly slipped my mind, namely, that when I went to Mr. Dondero he said to me, "I am going to let go a hell of a blast at this Amerasia case, and if you are to a certain extent innocent, as I believe, and you are not a Communist, you go ahead with your nolo contendere plea, because it might be much worse for you later."

Senator TYDINGS. At what time? Was that after you had filed your motion to quash or before you filed your motion to quash, or was it after the Department of Justice first suggested to you that a motion of nolo contendere would perhaps be wisest?

Mr. LARSEN. I am trying to remember the date of that.

Senator TYDINGS. Was it before you paid the fine and settled?

Mr. LARSEN. I believe it was.

Senator TYDINGS. It would have to be, otherwise, if you had already done it, there would be no point in the discussion.

Mr. MORGAN. Is there anything further on that?

Mr. LARSEN. No, sir.

Mr. MORGAN. For the record, I believe you indicated that your change of plea from "not guilty" to "nolo contendere" was before the filing of your motion to quash. Would you like to correct that, Mr. Larsen?

Mr. LARSEN. Yes; I would like to correct that. It was after.

Mr. MORGAN. It was after?

Mr. LARSEN. Oh, yes. That was actually officially done in court on November 2.

Mr. MORGAN. At the time of your arrest did anyone in the State Department attempt to intervene on your behalf, or to stop the arrest in any manner, to your knowledge?

Mr. LARSEN. I don't know. Hearsay is not of much value. I think Mr. Grew, according to hearsay, objected to my arrest. I was flattered to hear that, but I am not sure of it.

Senator TYDINGS. You don't know whether that is true or false, you just heard it?

Mr. LARSEN. I don't know whether it is true.

Mr. MORGAN. Have you anything further to add with respect to the circumstances under which Jaffe was to pay your fine and attorney's fee?

Mr. LARSEN. No, sir.

Mr. MORGAN. Am I to understand from your testimony that that arrangement was made through the Justice Department attorneys?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. And who of the Justice Department attorneys told you that?

Mr. LARSEN. Mr. Hitchcock and Mr. Donald Anderson, who were working on the case.

Mr. MORGAN. The fact that Mr. Jaffe was in the adjoining room you did not know at that time, and now know it, do you attach any significance to that?

Mr. LARSEN. I presume that he may have made the suggestion right there.

Mr. MORGAN. Mr. Larsen, yesterday I made reference to the documents that were seized at your home at the time of the arrest, and with some feeling you corrected me on the number. I might say that since yesterday's proceedings I have checked the documents and I find that there were 322 documents seized at your home that were not in any way related to personal material of yours, and that a total of well over 700 documents all told were found.

Mr. LARSEN. In my residence?

Mr. MORGAN. In your residence. I have them itemized and listed here.

Mr. LARSEN. I am glad to hear that you have them. If that list will be available to me, I would like to reclaim some of those documents. I have a right to reclaim them.

Senator TYDINGS. You mean they are your personal papers?

Mr. LARSEN. They were my personal property.

Senator TYDINGS. Not the State Department's?

Mr. LARSEN. No, sir; not ONI, either.

For instance, there was a complete file on the Japanese use of Mohammedans and Mohammedan mullahs in the Northwest, and Japanese use of Buddhist priests.

Senator TYDINGS. I think this, without your going into all these details. I don't know as we can give you the documents, but I think it might be wise if we would have Mr. Larsen check over those that he claims are his private papers, and differentiate them from the State Department's.

Mr. MORGAN. We have those very well identified ourselves.

Senator TYDINGS. Is it in line with what he is saying?

Mr. MORGAN. Yes, there are a great many that clearly appear to be personal documents, newspaper clippings.

Mr. LARSEN. They ran to the hundreds, if you include newspaper clippings.

Senator TYDINGS. What I am trying to get at, when he says there are hundreds of documents —

Mr. MORGAN. We have identified 322 documents as what may well be called official Government documents.

Senator TYDINGS. I think of the 322 Mr. Larsen ought to be permitted reasonably to go over those and show that we have made a mistake, and add his viewpoint to whether or not any of the 322 could be his private papers. We claim, or the agents claim, they are Government papers?

Mr. MORGAN. I might say, Mr. Chairman, in the case of each of the 322 there is a specific marking on each, "State", "OSS", "ONI", so I really don't believe there is any problem on that score.

Senator TYDINGS. How do you account for that, that there are 322 of these documents and you thought there were only 120, according to your testimony yesterday?

Mr. LARSEN. I did not count them.

Senator TYDINGS. You were just testifying from what you thought was the case?

Mr. LARSEN. Yes.

Senator TYDINGS. And you could be wrong?

Mr. LARSEN. Yes.

Senator TYDINGS. There could be as many as 322?

Mr. LARSEN. Did you include newspaper clippings in those?

Mr. MORGAN. Among the 322, Mr. Larsen, are all documents that bear the imprint of one of the Government agencies on it.

Senator TYDINGS. How in the world did you ever get so many documents over in your quarters? Did you take them all there yourself?

Mr. LARSEN. Yes; I did.

Senator TYDINGS. Nobody else took any of them?

Mr. LARSEN. Oh, no.

Senator TYDINGS. How long had you had these 322, or parts of them?

Mr. LARSEN. Some of them I had probably had since, oh, 1936 or '37.

Senator TYDINGS. Were they copies, or were they originals?

Mr. LARSEN. They were copies.

Senator TYDINGS. Did they all come out of your office, or did you get them from ONI or some other offices? Did they funnel through your office?

Mr. LARSEN. They funneled through my office.

Senator TYDINGS. Did you have any documents in the 322 that you got from any other place except through your own office?

Mr. LARSEN. No, sir.

Senator TYDINGS. You are sure of that?

Mr. LARSEN. I am sure of that.

Senator TYDINGS. Nobody gave you any from any other source?

Mr. LARSEN. Nobody gave me any.

Senator TYDINGS. And you did not go into any other office and get any of them?

Mr. LARSEN. No, sir.

Senator LODGE. As I understand it, there was a total of 1,700 documents in the Amerasia case.

Mr. MORGAN. I am referring to those found in Mr. Larsen's apartment. There were over 700 there. The over-all total may well reach that number.

Mr. LARSEN. That would mean about five or six hundred newspaper clippings.

Senator LODGE. As I understand it, there are 1,700 documents, roughly, and I wanted to ask you whether you knew how those documents were obtained.

Mr. LARSEN. No. I wish I knew.

Senator LODGE. You have no theory about them?

Mr. LARSEN. If I knew, I would consider it my patriotic duty to come forward voluntarily and accuse the men who delivered them to Jaffe.

Senator LODGE. Thank you.

Mr. MORGAN. Your admission extends to how many of the documents, Mr. Larsen, that you passed on to Jaffe?

Mr. LARSEN. Well, I think I mentioned the other day rather guardedly, because I do not recollect now, how many were still outstanding, that Jaffe had received. But let us limit it below 20.

Senator TYDINGS. That is what you said the other day; not more than 20.

Mr. LARSEN. Not more than 20.

Mr. MORGAN. Do you recall ever having indicated to anyone that you maintained a check-off list indicating the documents you passed on to Mr. Jaffe in order that you might know when he returned them?

Mr. LARSEN. Yes, I did have a check-off list. It was in my little notebook that I kept.

Mr. MORGAN. Is that check-off list available to us?

Mr. LARSEN. I don't know now what happened, whether I turned that in to the FBI or whether they seized it, because they seized everything I had in my pockets and returned it to me some time later.

Mr. MORGAN. I believe those are all the questions I have at the moment, Mr. Chairman.

Mr. MORRIS. In the first place, have you brought in that summary that you said you were going to bring in yesterday regarding Chou En Li and Mao Tse-tung?

Mr. LARSEN. Yes, I have brought that.

Mr. MORRIS. Will you make that available, please?

Mr. Morgan, will we have available to us the FBI memorandum to the Justice Department setting forth the 18 points which they recommended be used in refutation to Mr. Larsen's attorney's motion to suppress?

Mr. MORGAN. As I understand, that was made on the record and the request was referred to Mr. McInerney, and as I recall, subject to correction, he had indicated that the FBI's memorandum was directed

to charges of personal possible misconduct on the part of FBI agents, and the FBI was answering to those allegations, and he did not regard it as being pertinent to our inquiry here. If we want to make a formal request for it, I suppose we can, if it is felt that it has pertinence here. As I recall, and I think you will bear me out in this, that was Mr. McInerney's observation about the document.

Mr. MORRIS. That is right; that was Mr. McInerney's observation, that it was interdepartmental. I maintain that inasmuch as it is the FBI's version of the facts in connection with the arrest made of Mr. Larsen, it is pertinent to our inquiry.

Mr. MORGAN. We can certainly request it of the Chairman if it is felt vital. Go ahead and request it.

Senator TYDINGS. What is this, now? "China's Resistance in Its Sixth Year. Emmanuel S. Larsen. October 1948."

Mr. LARSEN. I pasted on. That is my book mark.

This contains the minutes of meetings held between May 26 and July 1, 1948. This, Mr. Chairman, is what gave rise to my suspicion that the reporting from the field was not quite complete; namely, the reporting from the field emphasized that the Chinese Communists were not real Communists and that they had no Russian orientation.

Mr. MORRIS. Mr. Larsen, I am going to read to you—

Senator TYDINGS. Do you want to put it in the record?

Mr. LARSEN. Can't I have it back?

Senator TYDINGS. I will instruct Mr. Morgan to return it to you after we have completed our hearing. (This document has no indication of its source, authorship, or publisher whatsoever.)

Mr. LARSEN. Could a photostat be made of it? I am writing something on that subject right now. It is my own private paper, given to me by a Chinese.

Mr. MORGAN. If I might ask a question here, it might be helpful to me.

Is there any reason to believe, Mr. Larsen, that this document was ever presented to the State Department by anyone?

Mr. LARSEN. No. I tried to find it, but I couldn't find it in the State Department.

Mr. MORGAN. Where did you get it?

Mr. LARSEN. It was given to me by a Chinese, a member of the Chinese Embassy.

Mr. MORGAN. At what time?

Mr. LARSEN. About Christmas, 1944. It might have been New Year's, 1945—just at that time.

Mr. MORGAN. Is the point of your discussion on this that this document should have been transmitted to the State Department by someone?

Mr. LARSEN. My point is that the field officers such as Service and Ludden and Davies should have known about this. It exploded the myth that the Chinese Communists were not real Communists, because it is stated in there on page 59, I think it is—I have marked these down here—

Senator TYDINGS. How do we know that this is an authentic thing? Who printed it? Who got it up?

Mr. LARSEN. The Communists in Yenan printed it and intended to circulate it.

Senator TYDINGS. How do you know that?

Mr. LARSEN. I don't know it for certain.

Senator TYDINGS. You were told, then?

Mr. LARSEN. I was told.

Senator TYDINGS. That the Communists had this printed and circularized?

Mr. LARSEN. And wanted to circularize it, but decided to suppress it because they were doing so well in this country with the propaganda that the Chinese Communists were not real Communists.

Senator TYDINGS. What was the purpose of it?

Mr. LARSEN. The purpose of it was to announce to the Chinese Communists that the Comintern, the Communist International, had been liquidated, and that whereas the Chinese Communists formerly received their instructions from the Comintern, they would no longer do so.

Senator TYDINGS. The purpose of it, then, was to show that they were not attached to Russia? You said the Comintern had been liquidated and they would act independently?

Mr. LARSEN. Yes; but there were further statements mentioning that they would continue to operate in very much the same manner, in spite of the liquidation.

Senator TYDINGS. Yes; but I just don't follow your logic. Maybe I am fuzzy on it. What was the purpose of this, printed in English?

Mr. LARSEN. I think it was primarily Communist propaganda in the United States, or the English-speaking countries.

Senator TYDINGS. And it was circularized for what purpose in the United States?

Mr. LARSEN. It was finally not circularized in the United States.

Senator TYDINGS. It was intended to be circularized to show either one or two things, I take it from your testimony. First, that the Chinese Communists were independent of Russia, or that the Chinese Communists were working with Russia. Now, which of the two things, to your knowledge?

Mr. LARSEN. I am glad you made that point very clear, sir. It was intended to point out that they were after 1948 not to be tied in with Russia officially.

Senator TYDINGS. And you were told—

Mr. LARSEN. And the secondary purpose was to show that the Chinese Communists had done a very good job in the war.

Senator TYDINGS. I understand; it was to sell the Chinese Communist efficiency and successes to the American people on the one hand, and to show that they were not directed from Russia on the other.

Mr. LARSEN. That is my opinion.

Senator TYDINGS. And this was given to you by somebody in the Chinese Embassy?

Mr. LARSEN. Yes, sir.

Senator TYDINGS. And the person who gave it to you, was he or she a Communist?

Mr. LARSEN. Oh, no.

Senator TYDINGS. It was given to you from other sources? Did he say how he came to have it, and for what purpose he wanted to give it to you? I imagine it was "he."

Mr. LARSEN. He said he saw a bunch of them in Chungking and that he thought of me at once, because we had discussed the subject of the Communists.

Senator TYDINGS. I haven't read it. I want to ask you one more question and then I am not going to interrupt Mr. Morris. I will put it this way: Does the document itself reflect favorably upon the Communists, or adversely upon the Communists, in China?

Mr. LARSEN. So far as performance during the war, it reflects very favorably. But so far as their intentions of carrying on as a Chinese Communist Party, secretly associated with the Comintern, which was supposed to have been liquidated—

Senator TYDINGS. If the latter conclusion is justified, it might very well have been a very subtle piece of propaganda put out by the anti-Communists.

Mr. LARSEN. It might, sir, and that is the reason I never brought it out.

Senator TYDINGS. We have nothing, so far as you have testified, so far as it shows, to show that its genesis was either pro-Communist or anti-Communist. In other words, if one part is pro-Communist and part would lead you to believe it is anti-Communist, from your description—

Mr. LARSEN. That is right.

Senator TYDINGS. You could not say with accuracy whether it was or was not Communist propaganda. It might be either.

Mr. LARSEN. It might even have been Nationalist propaganda.

Senator TYDINGS. That is what I mean.

Mr. MORGAN. Before we discuss this any further, or accept it as an exhibit or otherwise in our record, Mr. Larsen, you have referred to this document as, I believe, the one documentary evidence of the fact that you do not feel that the men reporting from China were giving the entire picture to our State Department, isn't that right?

Mr. LARSEN. Tha's right.

Mr. MORGAN. Well, now, what reason do you have to believe that these men ever had this document available to them to transmit to the State Department?

Mr. LARSEN. I have no reason to believe that they should have had it, except that they did pick up a tremendous volume of Communist propaganda and Nationalist propaganda and sent it in, but I failed to see that among it. It may have been just inefficiency, or that it was purposely kept from them.

Mr. MORGAN. If it should develop that this had been transmitted to the State Department, your entire line of thinking in this vein would be erroneous; is that correct?

Mr. LARSEN. It would be erroneous, except for the fact that the statement has been made from time to time, particularly by Mr. John Davies, that there was a non-Russian orientation, that the history of communism in China proved a non-Russian orientation, and this admits here—I will read it to you—

The Communist International was liquidated on May 28, 1943. Hereupon the Chinese Communist Party releases itself from obligations ensuing from the constitution and decisions of congresses of the Communist International.

That statement by the central committee of the Chinese Communist Party aroused in me the suspicion that what principally the public writers like Edgar Snow and so on had stated, that there was no Rus-

sian orientation, and also specifically the statement of Mr. Davies in '45 suggested that these statements were either wrong or due to ignorance.

Mr. MORRIS. And in this regard, may I suggest that rather than have Mr. Larsen go into that further, that we get some of these formal resolutions of the Chinese Communist Party showing that they are allied to the Comintern, from official Soviet journals.

Senator TYDINGS. What would be the point of getting them? What did it do to prove what we are here investigating?

Mr. MORRIS. It would show what the official Chinese Communist policies were.

Senator TYDINGS. We are not inquiring into that, are we?

Mr. MORRIS. I think it is a good thing for background. I will just put them in as exhibits, without going into them at all.

Senator TYDINGS. All right; go ahead and put them in.

Mr. MORRIS. I am doing this to shorten the record.

Mr. LARSEN. May I mention that I did not intend to introduce this? I merely explained how I substantiated my suspicions on this. It is still a disputed question whether this document is genuine.

Mr. MORGAN. This brings to mind something I wanted to ask you, Mr. Larsen. You did have close contacts with the Chinese Embassy here in Washington; is that correct?

Mr. LARSEN. No; not close contacts. Sometimes I didn't visit the Chinese Embassy for 2 years.

Mr. MORGAN. Did you ever supply documents to anyone associated with the Chinese Embassy?

Mr. LARSEN. No, sir.

Mr. MORGAN. Only to Jaffe?

Mr. LARSEN. Yes, sir.

Mr. MORRIS. I am going to read several excerpts from your testimony before the House committee, and I am going to ask you several questions about them. Talking about Jaffe, page 7548:

He did supply me a lot. On three occasions I was able to give important information to the State Department. One time he relayed to me conversations between Edgar Snow and President Roosevelt. If you want to know the exact details of it, I can give it to you. Snow is a writer who has, in the past, been very pro-Communist. He is changing a little bit now. He went to see President Roosevelt about 20 days before he died. He asked him about the policy toward China, and President Roosevelt made an important statement, that whereas he intended to continue to back the Chinese properly constituted government, he had in mind, and it was the policy of the administration, he said, to utilize the Communists if and when it were practicable.

I relayed that immediately to the State Department, hoping to observe what the reaction would be because I knew that the men in my section there in the Chinese Division were very, very keen on that policy to make it more than 50-50 and utilize and arm the Communists and let Chiang Kai-shek's government drop. I know that. I was somewhat outside their gang, because I was not pro-leftist and pro-Communist, and they were all a little bit reluctant to confide in me. One fellow actually told me, "Vinson [Vincent] thinks you are reactionary and you are too close to these people."

Mr. LARSEN. The man who told me that was not Vincent.

Mr. MORRIS. Please!

I grew up with those boys, and many of them are now big generals. I went to school with some of them. I know them well, but I can judge them fairly and impartially, because I am not tied in with them in any particular way right now. I earn my money from the United States Government. I do not have to be partial to them, observing them at a distance. So I think I was much more

impartial than these people in the State Department who are forcing a pro-Communist policy so as to enhance their own little group at the head of which I consider Dean Acheson stands as a leader. What his ambitions are, I do not know. I heard he wanted to become Secretary of State and President of the United States, and that he hopes to do so with the aid of the liberal elements and the CIO and all the people who are making our greatest miseries right now.

Also on page 7548, talking about John Stewart Service:

It was his reports and John Davis' [Davies'] reports and John Emerson's reports and Loftin's [Ludden's] reports and Dick Serviss' brother's reports that flooded the State Department with pro-Communist arguments, namely, that China, the Chinese people, had had political tutelage under the one-party government too long, and it was time for China to have a vote and a constitution and be free.

One page 7548, speaking of Michael Lee:

Later he came to the United States, became an American citizen. He denies he was a Communist. He was always very close to them.

At the time when the arrests were made, I discovered that he was one of the closest contacts to Jaffe. When Jaffe came down he spent most of his time with him.

On page 7549, speaking of Jaffe:

He was sometimes rather provoked in specific questions about specific personalities. What burned me up was that after Service's reports had started pouring in from China, he mentioned to me subjects that he could not have known of unless he read those reports.

Speaking of Michael Lee:

He did not state what he was getting from them. He said to me, "I am meeting Michael Lee this afternoon. I want to get from him the story of whether T. V. Soong raised 200,000,000 men."

Mr. LARSEN. That should be dollars.

Mr. MORRIS. On page 7551, Mr. Hancock's question:

Did you ever observe any activity on the part of David Niles?

Mr. LARSEN. I heard his name mentioned. I know Mr. Roth is rather sick [thick] with him. He is writing some putrid articles, ignoring the political propaganda; the stuff is no good.

I ask you, Mr. Larsen, if those views you expressed at that time are your views today.

Mr. LARSEN. That is rather a big order. You put a great many things in there.

Mr. MORRIS. I read them to you. You can distinguish if they aren't your views today.

Mr. LARSEN. I answered Mr. Morgan on that subject a little while ago, and I would say that now my view on Roth is still that he is, if not a member of the Communist Party, certainly very pro-Communist and very much involved with the Communists.

Mr. MORRIS. These are purported to be your views in 1946, based on your experience of 10 years with the Naval Intelligence and State Department, isn't that so?

Mr. LARSEN. That's right.

Mr. MORRIS. Have you changed those opinions?

Mr. LARSEN. I have changed my opinions about Service and Davies. Even such an extreme anti-State Department person as Don Levine told me at Christmastime in 1948 that he had heard Davies was then extremely anti-Communist.

Mr. MORRIS. Mr. Larsen, to get back to this, now, don't you think the views you expressed here in 1946 were more sweeping than the

views you have expressed in the counterattack article that was published under your name? Aren't they more sweeping? I mean, you have the President of the United States pro-Communist—

Mr. LARSEN. No, no. The President?

Mr. MORRIS. You have the administration supporting the Communists. You have Dean Acheson head of a pro-Communist league. You have the adviser to the President of the United States in league with the man you call the principal conspirator. Aren't those views more sweeping than the views you expressed in that article?

Mr. LARSEN. I didn't mean them to sound more sweeping.

Mr. MORRIS. Aren't these views, expressed in the Congressional Record, more sweeping than the views that you expressed?

Mr. LARSEN. Quoted out of context, I would say they sound more sweeping.

Mr. MORRIS. You mean I have taken these things out of context?

Mr. LARSEN. Yes; because there were other statements I made at that time ameliorating those statements to the effect that I did not know definitely of these things.

Mr. MORRIS. Where do you say that? Will you call my attention to that, Mr. Larsen?

Mr. LARSEN. I don't know whether it is in that Record or not.

Mr. MORRIS. That is the point I am making.

Mr. LARSEN (reading) :

Did you ever hear him say anything to indicate his feelings, Dean Acheson?

Mr. LARSEN. I never met Dean Acheson, but in discussing official affairs I was a member of the policy committee for China and Manchuria. We often discussed things which were pooh-poohed as impossible—

namely, proposals to give a bigger hand to Chiang Kai-shek in the prosecution of the war. And such proposals were generally put down. We talked about it in the office, and then in private whisperings it would be said to me, "It is a good proposal, but you haven't got a chance to put it through. Mr. John Carter Vincent would never forward it to Acheson, and Mr. Acheson would never approve of it."

Mr. MORRIS. You are not reading from the Record now.

Mr. LARSEN. No! I am not reading from the Record.

Mr. MORRIS. You are now picking out from the record extracts which show modifications of that view.

Mr. LARSEN. "You could not put that over." That is a quotation of what I said before the Hobbs committee, and in turn a quotation of what members within the State Department said to me when I discussed a certain plan.

Mr. MORRIS. I don't want you to be able to say I have taken things out of context. I want to be sure it is in context. Mind you, everything in that Congressional Record will be in the record of this subcommittee.

Mr. LARSEN. I see. In that case I will let the record go as it stands.

Mr. MORRIS. Are your views as expressed in that Record your views as expressed today?

Mr. LARSEN. Not exactly.

Mr. MORRIS. What has made you change?

Mr. LARSEN. What has made me change is the absence of any personal rancor toward Mr. Service.

Mr. MORRIS. You mean you had rancor at that time?

Mr. LARSEN. Yes, sir; mainly based on statements made to me that Mr. Service had pointed the finger at me before the grand jury.

Mr. MORRIS. Your conversations with Mr. Peurifoy have not influenced your decision at all, have they?

Mr. LARSEN. No, sir.

Mr. MORRIS. On how many occasions have you discussed these matters with Mr. Peurifoy?

Mr. LARSEN. On only one occasion.

Mr. MORRIS. What was that instance?

Mr. LARSEN. That is when I went to see Mr. Peurifoy and told him that I could not testify against Mr. Service, that he was a Communist or pro-Communist, but that I could not hold back testimony that I did suspect him of slanting his reports in favor of the Chinese Communists, who were then our allies. And he did not reproach me and he did not make any remarks.

Mr. MORRIS. Yesterday you stated here, off the record, Mr. Larsen, that you said to Mr. Peurifoy, "Don't fear that I am going to testify against Service."

Mr. LARSEN. That is right.

Mr. MORRIS. Did Mr. Peurifoy promise to make any legal assistance available to you?

Mr. LARSEN. He said that if I required any legal assistance involving questions of the State Department I could call on Mr. Fisher and ask him questions.

Mr. MORRIS. Who is Mr. Fisher?

Mr. LARSEN. Mr. Adrian S. Fisher.

Mr. MORRIS. Have you an application in the Department of the Interior?

Mr. LARSEN. No, I have no written application.

Mr. MORRIS. What is the nature of your application in the Department?

Mr. LARSEN. It is merely that I went to see Dr. Meredith Berrill and asked him whether there would be any chance of a position for me as geographer on China.

Mr. MORRIS. Have you discussed that application with Mr. Peurifoy?

Mr. LARSEN. No, I have not discussed it. I have merely mentioned to him that I have filed an application and then immediately when I filed this application the McCarthy charges were brought.

Mr. MORRIS. Did Mr. Peurifoy indicate to you in any way that your record was clear with respect to Government employment?

Mr. LARSEN. In general?

Mr. MORRIS. In general.

Mr. LARSEN. No, sir. He merely indicated that my record in the State Department had no annotation as to disloyalty.

Mr. MORRIS. Did that include your participation in this Amerasia case?

Mr. LARSEN. I suppose—I presume—it does.

Mr. MORRIS. When you had your conversation with Senator Wherry, didn't you report that conversation back to Mr. Peurifoy?

Mr. LARSEN. Not that I know of.

Mr. MORRIS. I wish you would try to recall, Mr. Larsen.

Mr. LARSEN. It was before I went to Mr. Wherry. It was March 20 that I went to Mr. Peurifoy.

Mr. MORRIS. Have you spoken to Mr. Peurifoy since that date?

Mr. LARSEN. I have not seen him since that date.

Mr. MORRIS. Have you spoken to him?

Mr. LARSEN. I don't remember. It is possible that I have called him on the telephone.

Mr. MORRIS. You did not tell Mr. Peurifoy that you had interviewed me, did you, or that I had interviewed you, in connection with this case?

Mr. LARSEN. That's right.

Mr. MORRIS. That was subsequent to that date.

Mr. LARSEN. That's right. You are the gentleman I met at the Statler, in the Statler. Is that right?

Mr. MORRIS. That is right, yes.

You testified that John Carter Vincent and others financed the legal defense of John Service. Can you testify who some of the others were, Mr. Larsen?

Mr. LARSEN. Some of the other—who?

Mr. MORRIS. Other contributors to Service's defense.

Mr. LARSEN. I don't know who the others were.

Mr. MORRIS. You have testified previously that John Carter Vincent contributed.

Mr. LARSEN. Members of the Far East Division of the State Department contributed. I do not know that Mr. John Carter Vincent contributed, because I have never been told so.

Mr. MORRIS. But you did testify to that fact yesterday.

Mr. LARSEN. No, sir; I did not. I mentioned Mr. Mortimer Graves. Isn't that correct?

Mr. MORRIS. We will have the testimony available. We can go back to it.

Mr. LARSEN. I see.

Mr. MORRIS. Were you ever a member of the Institute of Pacific Relations?

Mr. LARSEN. Yes, I was.

Mr. MORRIS. How long were you a member of the Institute of Pacific Relations?

Mr. LARSEN. The moment I entered the State Department I got an invitation to become a member.

Mr. MORRIS. Who gave you the invitation?

Mr. LARSEN. It was sent to me my mail.

Mr. MORRIS. Was the name of the sender apparent on the invitation?

Mr. LARSEN. Yes. It was the Institute of Pacific Relations that sent me a card.

Mr. MORRIS. The secretary?

Mr. LARSEN. I suppose so.

Mr. MORRIS. Did the Institute of Pacific Relations invite all members of the State Department to become members of the Institute of Pacific Relations?

Mr. LARSEN. I am sure they did, because they would be good readers. They are interested in international problems.

Mr. MORRIS. How long did you remain a member of the Institute of Pacific Relations?

Mr. LARSEN. Throughout the year 1945, just 1 year. I paid 1 year's subscription.

Mr. MORRIS. Did anyone ever ask you to join the Communist Party?

Mr. LARSEN. No, sir.

Mr. MORRIS. At any time?

Mr. LARSEN. Never at any time.

Mr. MORRIS. What was the first time that any member of the Justice Department suggested to you that you plead guilty in connection with the Amerasia case?

Mr. LARSEN. Plead guilty? No one ever suggested that I plead guilty, so far as I remember.

Mr. MORRIS. When was the first time that any member of the Department of Justice suggested that you make a settlement of your case before the Justice Department?

Mr. LARSEN. Some time in September 1945.

Mr. MORRIS. I wish you would think carefully, to tell me exactly what date.

Mr. LARSEN. I would say I do not remember the date on which I filed that motion; you know the one I refer to, namely, to quash.

Mr. MORRIS. Yes, I understand.

Mr. LARSEN. It was just at that time, immediately subsequent to the filing of the motion.

Mr. MORRIS. Did you believe that the five defendants other than you in the Amerasia case were participants in a conspiracy?

Mr. LARSEN. I didn't know about some of them.

Mr. MORRIS. You made the statement here this morning that Commander Roth was the principal conspirator.

Mr. LARSEN. I still believe that if there was a conspiracy, it was between Mr. Jaffe and Mr. Roth. I did not know Mr. Gayn; I did not know what Kate Mitchell's position was in Amerasia. I had met her very casually once or twice. I did not know of Service's involvement in the Amerasia case.

Mr. MORRIS. Why did you testify that Senator McCarthy had recorded your conversations with him and with Mr. Surine?

Mr. LARSEN. I did not testify that he did record it, but that I believed he had recorded it.

Mr. MORRIS. And then you did make the statement that the room was bristling with recording machines, and then I asked you what one did you see, and you admitted that you had seen none?

Mr. LARSEN. I cannot certify that I recognized any definitely as a recording machine, because I do not know. I have yet to see a recording machine.

Mr. MORRIS. Mr. Morgan, I suggest that on that score, just so that the record will be straight, Senator McCarthy and Mr. Surine be here to be asked one question, namely, did they at any time have any recording devices?

Mr. MORGAN. If it appears pertinent one way or the other we will submit it to the chairman for his opinion.

Mr. MORRIS. One of the documents found in your possession, Mr. Larsen, was the counterintelligence plan of the Naval Intelligence of the United States, a document marked "Confidential," and it is a document that I know from my own personal participation in the Navy Department was a very important and highly confidential document. Why did you have that in your possession?

Mr. LARSEN. I do not remember that document. I tell you, under oath, I do not remember that document at all. If I am confronted with the document I will be very willing to state whether I recognize it or not.

May I add something to my statement?

Mr. MORRIS. By all means.

Mr. LARSEN. A little while ago I brought up the matter of some personal papers of mine that were missing, and without any attempt at bragging, I have developed a very concrete theory on the subject of efficient intelligence among Chinese, because I know the Chinese intelligence system, and I had written a paper, voluntarily—that is, not asked for by the Navy Department—and I had not yet completed it. It contains suggestions made quite unofficially. I worked on it at home and I occasionally worked on it in the office. It was pure theory on organization, and in doing that I am sure that I perused a number of documents on intelligence systems and counterintelligence systems to make comparisons or improve on the system. And it is possible that I had such a document in my home. I know I had a very complete file in the office marked "Intelligence systems."

Mr. MORRIS. I think if it becomes necessary we can show you the precise document, Mr. Larsen, but the reason I do mention it is that the tenor of your testimony a while ago was that for the most part the documents in your possession were neither highly classified, and that all of them related to personalities. I haven't had a chance to go through all the files and all the documents, but there was one I did see that I know came into neither of those two classifications, and I wanted to call it to your attention.

Mr. LARSEN. You are perfectly right in that, and I do admit that they were not all relative to personalities, because I did have that specialty subject, namely intelligence.

Mr. MORRIS. Mr. Larsen, you testified that you had an interview with Senator McCarthy. Did he call for you?

Mr. LARSEN. Yes.

Mr. MORRIS. You mean he asked you to come in?

Mr. LARSEN. Oh, yes; yes. I didn't know Mr. McCarthy before.

Mr. MORRIS. Did you volunteer to see Senator McCarthy at any time?

Mr. LARSEN. No, sir; not that I know of. I certainly did not call him up or ask anyone to arrange an interview. If that was arranged, may I give you a hint who might have arranged it without my knowledge and without my permission? Mr. Otto Deckham, who was associated with me for some time in my far eastern information service, called me the day I had been informed by McCarthy that he wanted to see me.

Mr. MORRIS. And is it your testimony you never phoned Senator McCarthy?

Mr. LARSEN. You mean before that time?

Mr. MORRIS. At any time.

Mr. LARSEN. I do not think that I ever phoned Senator McCarthy.

Mr. MORRIS. Or asked to see him?

Mr. LARSEN. Or asked to see him. I believe that is correct, is it not? Do you have evidence to the contrary? I cannot imagine it.

Mr. MORRIS. I think that is all the questions I have.

Mr. MORGAN. I have one question here, Mr. Larsen, in connection with the questions Mr. Morris asked you relative to your alleged statement that Mr. Peurifoy need not fear that you were going to testify against Mr. Service. Had Mr. Peurifoy indicated any fear that you would testify one way or the other concerning Mr. Service?

Mr. LARSEN. No. I merely felt sorry for Mr. Peurifoy when I saw him attacked in the newspapers, and I thought Mr. Peurifoy was the first man who gave me a lift in this city of Washington, namely when I went to General Wedemeyer, and I wrote a little paper for him and then I asked him, when I delivered that paper, "What are the chances of my doing a little more permanent work for you or for military intelligence?" and he introduced me to the Chief of Naval Intelligence—I will think of the name in a moment—General Boling, and he said in my presence, "I know Larsen for quite a long time and I have great faith in him, and I do not have such just superficially. I have had him investigated and I have been told by Mr. Peurifoy that there is no record against him in the State Department." That is all.

You can imagine 5 years of attack, persecution, plastering in the paper, "spy," "thief of documents," and then to have one man stand out. You feel like going to the man and kneeling before him and kissing his hand.

Mr. MORGAN. Am I to understand from one of the answers to a question Mr. Morris asked you that when you testified before the Hobbs committee you were incensed and embittered against Service, and that consideration conditioned to a great extent what you said in your testimony there?

Mr. LARSEN. Yes, sir.

Mr. MORGAN. Am I to understand that you subsequently found out that Mr. Service did not "put the finger" on you, so to speak, in the Amerasia case?

Mr. LARSEN. Yes.

Mr. MORGAN. With that in mind, Mr. Larsen, are we to understand that what you told the Hobbs committee is to some extent not correct, and was conditioned by reason of your feeling?

Mr. LARSEN. It was based on a great deal of talk on the part of people who interviewed me and who insisted that I had been the goat in the case, and that others had gone scot free, and that they in fact had pointed the finger at me, allegedly making me the sole culprit, which I am not.

Mr. MORGAN. What did you do in your testimony there, set out to make some other people goats?

Mr. LARSEN. No; I set out to encourage a damned good investigation of the Amerasia case, hoping that something else would come to light than merely my friendship with Jasse, and it was in that spirit that I became friendly with Mr. Dondero, whom I look upon as an extremely fine and sincere man. I believe I mentioned to you that Mr. Dondero has since on several occasions told me that he feels bad about having put me into such great difficulty at that time when he exploded his intention of, or expose his intention to make an investigation of the Amerasia case, thus making me lose my job for the Army in Korea.

Mr. MORGAN. The testimony before the Hobbs committee, as you know, is now a part of our record, and I do want to have some indication

as to the extent to which we can depend and rely upon what you said then. From what I understand at the moment, your testimony before the Hobbs committee was conditioned (1) by a feeling that Mr. Service had endeavored to put the finger on you, and by reason thereof you were incensed, is that correct?

Mr. LARSEN. That is right.

Mr. MORGAN. And, (2), that your testimony there consisted not only of information in your own knowledge, but also things you were told by various people before your testimony at the Hobbs committee.

Mr. LARSEN. That is correct. Furthermore, I was encouraged to tell every little bit of unsavory hearsay that I had, in the interest of the Nation, and I still believe they sincerely meant that, and I was guaranteed perfect immunity and confidential handling of that information.

Mr. MORGAN. Who encouraged you to give every bit of unsavory information?

Mr. LARSEN. Mr. Hobbs and the other members of the committee who questioned me at that time. They told me, "You can tell any little bit of chit-chat that you have, and we shall piece it together."

I said, "Well, I hate to do that, but I can tell you what I know and what I have heard," and that has been the line of questioning right along, and subsequently it has been given to the public, this information, and I still maintain that that is a very dangerous practice, because you and other investigative committees will not receive cooperation any more. I am not saying that I am concealing anything now, but I am answering at this hearing "I do not know" to a great number of questions.

I have some suspicions, but I don't like to answer them, because I don't want to involve anyone unnecessarily, and have it smeared all over the papers afterward involving these persons.

For example, I did not give you the name of the person who gave me this. He is above reproach. He is not politically minded. But he knew that I had this hobby.

Mr. MORGAN. When you say "this" you mean the document you obtained from the Chinese Embassy?

Mr. LARSEN. Not from the Embassy itself, but from a member of the Embassy who was my personal friend. I had nothing to do with him so far as the Embassy was concerned, but we went out and enjoyed dinner together, and so on. I knew him since he was a young officer in China.

Mr. MORRIS. Since that last question was asked, and since you have indicated that an emotional consideration may have been the factor in causing you to give the testimony as you gave it before the Hobbs committee, do you believe that an emotional factor again, namely, the deep gratitude that you have expressed to Mr. Peurifoy, could be a factor in your testimony today?

Mr. LARSEN. No, sir; because I have not colored my testimony in the slightest bit. I have been brutally frank before the loyalty committee, and I also mentioned this at the loyalty committee.

Mr. MORRIS. Mr. Morgan, are we going to ask Mr. Levine if he has any written transcript of the Larsen article as originally written?

Mr. MORGAN. Mr. Morris, my feeling on that is that all of these collateral considerations that have been brought into this case are

matters that the committee is going to have to consider in order to make a determination as to whom they want to have called, and certainly that will be one of the things that anyone will be privileged to bring up before the committee when it meets. We can't at this time make a determination as to whether we are going to call any witness on any matters, since just you and I are present.

Mr. MORRIS. I am just making the suggestion that we ask to see if they have any written article or signed article from Mr. Larsen.

Mr. MORGAN. I think Mr. Larsen stated in the testimony that he initiated the article.

Mr. LARSEN. Yes; I did.

Mr. MORGAN. In your haste to return to Washington.

(Whereupon, at 1 p. m., the hearing was adjourned until Wednesday, June 7, 1950, at 11:15 a. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, JUNE 7, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met pursuant to adjournment on Tuesday, June 6, 1950, in room G-23 of the United States Capitol, at 11:15 a. m., Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; and Messrs. Robert L. Heald and Robert Morris, assistant counsel of the subcommittee.

Senator TYDINGS. The meeting will be in order.

Hold up your right hand, please.

Do you solemnly promise and swear that the evidence you shall give in the matter pending before this committee shall be the truth, the whole truth and nothing but the truth, so help you God?

General HOLMES. I do.

TESTIMONY OF JULIUS C. HOLMES

Senator TYDINGS. General, give us, for the record, your full name and your occupation.

General HOLMES. Julius C. Holmes.

Senator TYDINGS. And your occupation?

General HOLMES. I am a Foreign Service officer, presently assigned as minister, in London.

Senator TYDINGS. How long are you back here for?

General HOLMES. As long as I am in consultation.

Senator TYDINGS. I mean, you are not back here on this case, but are back here on other matters?

General HOLMES. Back here on other matters, in consultation.

Senator TYDINGS. Your present address is care of the American Embassy, London?

General HOLMES. That is correct.

Senator TYDINGS. Were you in the Department here prior to your assignment to London?

General HOLMES. Only for a very short time.

Senator TYDINGS. What were your duties?

General HOLMES. From the 1st of September to the 13th of September in 1948—you see, there was a period when I was out of the service.

Senator TYDINGS. How about before that?

General HOLMES. Immediately before that, I was Assistant Secretary of State, from early in January 1945.

Senator TYDINGS. The 80th?

General HOLMES. Early in January. I don't remember the exact date—until the 17th of August 1945—both of those dates.

Senator TYDINGS. You were Assistant Secretary of State?

General HOLMES. Yes, sir.

Senator TYDINGS. When did you first come into the State Department, as an employee of the State Department?

General HOLMES. I entered the Foreign Service in April of 1925—the Foreign Service office.

Senator TYDINGS. Have you been in the State Department service ever since?

General HOLMES. No, sir. I resigned in 1937, and then was brought back and appointed Assistant Secretary of State from the Army in January of 1945; and resigned in August of that year. I then was reappointed in the Foreign Service in September 1948.

Senator TYDINGS. Mr. Morgan, here, has some questions that he would like to submit to you on matters that have been developed in the course of our investigation, matters that he would like to interrogate you about.

General HOLMES. All right.

Mr. MORGAN. General, as you probably have gathered, we are considering at this time in our inquiry the so-called Amerasia case, with which I imagine you are more or less familiar; and, in pertinent point of time, I wish you would indicate for the record, just now, what your position was in 1945, in the Department?

General HOLMES. I was Assistant Secretary of State.

Mr. MORGAN. Have you ever testified before, concerning the Amerasia case?

General HOLMES. Never.

Mr. MORGAN. At no point?

General HOLMES. No.

Mr. MORGAN. And for nobody?

General HOLMES. No.

Mr. MORGAN. Would you just, in your own manner, give us your best recollection of the circumstances under which the case came to your attention, and then go on, as you wish? Or we can interrogate you as you go along—just as you wish.

General HOLMES. Very well.

First, you will recall that this was 5 years ago.

It first came to my attention by a telephone conversation or telephone call from General Donovan—

Senator TYDINGS. About when?

General HOLMES. To the best of my recollection, it was about March of 1945.

He asked me to meet him in Ed Stettinius' apartment at the Shoreham Hotel that night, which I did.

General Donovan handed over several documents which he said had been obtained by some of his people from the office of the magazine Amerasia, in New York. I examined the documents in a rather cursory way. They were classified documents. Some of them were of State Department origin, and some were from the Navy; and it was a clear case that they had been purloined.

We discussed it and decided that it was a case for the law-enforcement agency of the Government and ought to be turned over to the FBI—so I took them the next morning—

Mr. MORGAN. Right at that point would you indicate again who was present at that meeting at Mr. Stettinius'?

General HOLMES. As I remember, only Stettinius, Donovan, and myself. There may have been—

Senator TYDINGS. Was Mr. van Beuren there, if you remember—the security officer of the OSS?

General HOLMES. Not to my recollection, sir.

Mr. MORGAN. Was Mr. Lyon there?

General HOLMES. Mr. Lyon was not, because I spoke to Mr. Lyon about it the following morning, and to Mr. Fletcher Warren, both of whom had security responsibilities in the State Department.

I went over then and saw the Secretary of the Navy, and he agreed that something ought to be done about this right away, of course, and assigned—

Mr. MORGAN. For our record, who was the Secretary of the Navy, then?

General HOLMES. Mr. Forrestal.

Mr. MORGAN. All right.

General HOLMES. And he assigned, I believe it was a major, to work with us on it; and we then went to see Mr. Hoover, in the FBI, and laid the case before him, and said "Here it is."

Mr. MORGAN. This was the following day?

General HOLMES. I cannot remember whether it was that day or the following day.

Senator LODGE. How did you happen to go to the Secretary of the Navy, rather than to the Secretary of War?

General HOLMES. There were naval documents—

Senator LODGE. No Army documents?

General HOLMES. I can't say whether there were no Army documents.

Senator LODGE. The ones you saw were Navy?

General HOLMES. The reason we went to the Secretary of the Navy was because there were numerous naval documents.

Senator LODGE. Do you remember the nature of any of them?

General HOLMES. I cannot recall the nature, sir; except that they were classified and should not have been in the hands of unauthorized people.

Mr. MORGAN. Do you make that same reply to all of them, that you are not able to tell, at this time, as to the character of them or give us the nature of the contents?

Senator TYDINGS. May I ask this, so that we will be able to follow closely: About how many documents were exhibited at Mr. Stettinius' apartment, roughly?

General HOLMES. To the best of my knowledge, 70 or 80.

Senator TYDINGS. Seventy or eighty?

General HOLMES. Yes.

Senator TYDINGS. Go ahead.

Mr. MORGAN. Well, as we go along here, you might indicate for the record, General, as to whether you do, at this point, recall the contents of any of these documents?

General HOLMES. No; I do not. I did not examine them with great care. The main thing that impressed me was that they were of such character, some of them, that they should not have been in unauthorized hands, and I knew something was wrong.

Mr. MORGAN. Do you recall what Mr. Forrestal's reaction was, at the time you talked to him?

General HOLMES. Yes. His reaction was that there should be an investigation, and run down and find the person responsible.

We then went to see Mr. Hoover and turned the case over to the FBI, saying that the facilities, any facilities at all, that would help to find the guilty people, or find out how the documents disappeared in the State Department, were entirely at his disposal.

Mr. Myron Gurnea was assigned by the FBI to be in charge of the case, and he said "We want to investigate it for a time."

Senator TYDINGS. Where did this conversation take place with Mr. Gurnea?

General HOLMES. There were several. Mostly—the first one was in my room, or my office in the State Department.

Senator TYDINGS. In other words, after you left Mr. Stettinius' apartment, you proceeded to handle the matter from then on?

General HOLMES. Yes, sir.

Senator TYDINGS. And you sent for Mr. Gurnea, or sent for the FBI?

General HOLMES. Yes. I went over to Mr. Hoover's office and discussed it with him.

Senator TYDINGS. So I can follow you: Now, from the time you took jurisdiction of it, was the OSS in the picture again, so far as you know, or did you and the FBI continue the masterminding?

General HOLMES. The FBI did it. The OSS was not involved, to my knowledge.

Senator TYDINGS. All right. Go ahead.

General HOLMES. The FBI then took charge of the case. They did come—agents did come and I assigned Fred Lyon, who had responsibility for security matters in the State Department, to assist them in any way possible; and the FBI did then send agents and examined reports and things in the State Department, and, as I understood it, shadowed people who were involved.

From that time on, it was made pretty clear, I made it clear constantly, that this was a matter of law enforcement. We felt that there was something very much wrong there. We didn't know who the guilty parties were, didn't care. We wanted them apprehended if they had violated the law, and expected the Department of Justice to conduct the investigation and start any prosecution that was to follow.

Shall I go on?

Mr. MORGAN. Go right ahead.

General HOLMES. I might have an odd thought.

Mr. MORGAN. Go ahead.

Senator TYDINGS. Go ahead and tell the story as best you can recollect.

General HOLMES. From time to time I got little reports, informal reports from Lyon about what was going on. I do not remember the details of those. I do not think they are pertinent.

It went on until one day—and I have subsequently looked at the record, and apparently it was the 2d of June, I would not have recalled that date, I don't believe, otherwise—I got word that the FBI had said that they received instructions to hold up the prosecution of the case.

Senator TYDINGS. The FBI?

General HOLMES. Yes; and they received it from the Attorney General's office, and because it might interfere with some of our relations with the Soviet Union. I recall the Conference at San Francisco was on at the time.

Mr. MORGAN. Right at that point, General, can you help us any as to who advised you of that?

General HOLMES. Yes. That advice was given, in the first instance, to Freddy Lyon, who brought it to me, by Mr. Gurnea—and when I heard that, I inquired where this instruction had come from, and they said it had come from the Foreign Office; and I said "How did that happen?"

Here, I must be very careful about what I say, because I am not absolutely certain.

Senator TYDINGS. You are doing the best you can, from your own recollection, I suppose.

General HOLMES. My understanding at that time was that this instruction had come from the White House.

That surprised me. I hit the ceiling, and said to Lyon, "I think it's a damned outrage."

I then went to Mr. Grew, who was the Acting Secretary of State, and told him what I had heard, and his reaction was similar.

I said, "The only way to handle this is to go right to the President," and he agreed with me. He telephoned to get an appointment with the President and he and I went over to see him.

It was late afternoon. The President was not in his own office, he was in the study upstairs—

Mr. MORGAN. June 2d?

General HOLMES. I have since verified the fact that it was June 2d.

Mr. Grew asked me to tell the President the circumstances, and I did; and the President's reaction was similar, and he said, "Well, get Mr. Gurnea on the phone for me." So, I picked up the telephone, got Gurnea and told him that the President wished to speak to him, and handed the receiver to the President, who said "This is the President speaking"; and I, of course, do not remember the rest of his words but what he said was "I don't care who has told you to stop this. You are not to do it. Go straight ahead with this and it doesn't matter who gets hurt. This has got to be run down. Go right ahead with it, and if anybody suggests that you postpone, or anything else, you are not to do it without first personal approval from me."

And then he grinned and said "Does that suit you?" And I said "Yes, sir."

Mr. MORGAN. Was there anything in the conversation with the President that might have indicated, one way or another, as to whom the suggestion of holding up did come from in the White House?

General HOLMES. Again I must put in a statement that I cannot be sure, absolutely certain of this, and I certainly could not prove this, and I certainly could not prove it, for what it is worth.

The impression that I have in my mind, of that time, was that the person who had telephoned from the White House to the Department of Justice, was the President's naval aide.

Senator TYDINGS. Who?

General HOLMES. The President's naval aide.

Mr. MORGAN. Who was that?

General HOLMES. I believe it was Vardaman.

I want to emphasize the fact that that is only an impression that I have, and it was 5 years ago.

Senator TYDINGS. You mean you could not, that is, or is not a fact?

General HOLMES. I could not be absolutely certain of it, Senator, in all fairness to the truth; but that is my recollection that I gained—that the person who did telephone was the President's naval aide.

Again, I say I will not swear, as I am under oath, that it was he.

I know that is not very good evidence, but that is the best honest evidence that I can give.

Mr. MORGAN. Go ahead.

General HOLMES. Then the affair went ahead, again wholly in the hands of the FBI. They were in consultations with us about it all the time. Finally they came, at one point, I do not remember the date, and said they were about ready to proceed to arrest the people involved, and they furnished a memorandum of the case, which they gave to me, and we looked at it and it looked to us as if there was a case.

I decided again that the responsibility of the decision about the arrest and prosecution of the people was clearly within the Department of Justice, and from there on I had nothing more to do with it, except to follow it in the newspapers, about the grand jury and the indictment of some of the people, and finally—yes; the failure to indict other people—and finally the decision of the court where two of the people, I believe, were fined.

Mr. MORGAN. Did the FBI clear with you, or the Department of Justice clear with you the fact that these arrests were going to be made, and that State Department personnel would be involved?

General HOLMES. Yes.

Mr. MORGAN. Did you discuss that consideration with anyone in the Department?

General HOLMES. Yes; I did. I certainly discussed it with Mr. Grew.

Mr. MORGAN. Do you recall your conversation with Mr. Grew?

General HOLMES. No, no. The only thing that I recall of that conversation was Mr. Grew's astonishment that John Service was involved, and was about to be arrested.

Mr. MORGAN. Was it normal for you to have cleared the matter with Under Secretary Grew at that time?

General HOLMES. He was Acting Secretary.

Mr. MORGAN. I see; and you were clearing the fact that these arrests would be made and State Department personnel were involved, with the Acting Secretary of State?

General HOLMES. That is correct.

Mr. MORGAN. And what Mr. Grew said was—

General HOLMES. He said, in fact he was amazed that John Service was involved; that he was glad the case was being brought to justice; and that he hoped the guilty people would be caught and punished.

That was the purport of what he had to say.

Mr. MORGAN. General, we have, in our records, an inference, I believe, or suggestion that in the late part of March, maybe early April, some consideration was given to effecting these arrests at that time, and that the matter was held up pending an effort to determine if there were other suspects possibly in the picture. I believe our record will reflect testimony that the suggestion was made and that it came probably from the Navy.

As I further pursue it, I think that is right.

Do you know anything at all about that situation?

General HOLMES. I know nothing about a suggestion from the Navy on that score, but the FBI agents said "We must keep this very secret, to give us time to investigate this thing more thoroughly, and to see who else is involved."

And, as a matter of fact, it did go on, I believe, for 2 or 3 months, in order that they could thoroughly investigate the case without letting the people who were suspected know of it; but I don't remember any influence from the Navy.

Mr. MORGAN. Now, back to this.

As you know, General—I don't know whether you know it or not, as I understand that you have been out of the country, but there have been suggestions made of the possibility of, we will use the word, a "fix" in the Amerasia case, in one aspect or another.

Do you have any information that would assist this committee in its inquiry with respect to the possibility of a fix anywhere in the picture?

General HOLMES. No; I have not. I have no information on that subject except the same suggestion which I read about in the press.

Mr. MORGAN. I have no further questions.

Senator TYDINGS. Senator Green?

Senator GREEN. I am sorry to have been late on the first part of the witness' testimony.

I have no questions to ask.

Senator TYDINGS. Senator Lodge?

Senator LODGE. I gather, Mr. Minister, that as far as you were concerned, when you heard of this event you took every step that you could take to see to it that the law-enforcement agencies of the Government went to work on it; and, having done that, your connection with the matter, in effect, ceased; is that right?

General HOLMES. That is about it, but my interest in the matter did not cease.

I was in the process then, having just really been in the office there for a rather short time, of doing what I could to tighten up the security of the State Department, which I found was not very good; and, if it is of any help, I was disappointed that it was people who, if they were guilty of stealing these documents, were not punished—in order that it would be a lesson.

That was the personal reaction that I had, and I followed it very closely and was interested in it, but I had no responsibility.

Senator Lodge. And you don't know why—do you—that the guilty parties were never really found and punished; don't know why; do you?

General Holmes. I don't know. That is a matter for the Department of Justice, of course.

Senator Lodge. Very mysterious—

General Holmes. I don't mean to suggest any mystery; I mean to suggest my disappointment.

Senator Lodge. I will say for myself—mysterious and disappointing.

Mr. Morgan. In that regard, General Holmes—it might be helpful to us—after the case was disposed of the way it was, did you make any inquiry at all to ascertain the circumstances attending the dismissal of the case, and the manner in which it was disposed off?

General Holmes. Only in respect to John Service.

Mr. Morgan. Can you help us on that?

General Holmes. He was a member of the Foreign Service. When he was arrested, he was suspended from active duty until the court could decide whether he was guilty or not; and the grand jury did not indict him; and, therefore, he was cleared—was not tried.

However, something had to be done with respect to his position in the Foreign Service; and so, as Chairman of the Personnel Board, Foreign Service Personnel Board, I had the responsibility there.

I sent Mr. N. P. Davis, who was then Chief of Foreign Service Personnel, to see the appropriate person in the Department of Justice; and I believe, although I am not certain of this, that the person he saw was the man who prosecuted the case, whose name, I believe, was Hitchcock.

Is that correct?

Mr. Morgan. Hitchcock was one of the prosecutors.

General Holmes. I think he was the man Mr. Davis saw. He went to him and said: "We have a problem in respect to this man in the Foreign Service. Is there anything that you know of now, now that it is out of the hands of the court, is there any evidence, or anything that you know which really should prejudice his continuance with the Foreign Service?" And Davis brought back a report that the attorney said there was not.

So, the Board was convened. I convened the Board. We discussed Service's implication in this, including the statement by Davis. We brought Service before the Board and questioned him closely for quite a long time; and I gave him, as Chairman of the Board, a very severe oral reprimand for being indiscreet, at least, and told him that the Board would decide what would be done.

He left the meeting, and we considered it, and the Board unanimously concluded that there was no evidence—again, he had been indiscreet in some of his associations, but there was no reason why he should not be reinstated in the service.

The Board approved that, and so recommended to the Secretary of State, and a letter was drafted by the Secretary of State, Mr. Byrnes, reinstating him in the Foreign Service.

Mr. Morgan. At the time you were considering Mr. Service, there, the only knowledge your Board had before it about the Amerasia case was the verbal representation by Mr. Hitchcock, made to Mr. Davis, or did you have other information?

General HOLMES. We had other information as well.

Mr. MORGAN. My point is: Did your Board rely upon the representations of Mr. Hitchcock?

General HOLMES. Oh, no. That was part of the one consideration.

Mr. MORGAN. Was it a major consideration?

General HOLMES. It was an important consideration. It was a verification.

Mr. MORGAN. What other considerations entered into the decision to retain Mr. Service?

General HOLMES. That is difficult to answer in detail, Mr. Morgan.

Mr. MORGAN. I appreciate that.

General HOLMES. Frankly, I don't remember.

We went into the thing as thoroughly and carefully as we could, and the thing that stands out in my memory is what our conclusion was.

Mr. MORGAN. And it was a unanimous conclusion?

General HOLMES. Yes, sir; it was.

Mr. MORRIS. General Holmes, was there presented to you, on that occasion, FBI evidence to the effect that John Service has been imparting military information, secretly, to Philip Jaffe?

General HOLMES. No.

Mr. MORRIS. If that had been, would it have influenced your opinion or conclusion?

General HOLMES. Well, that is a rather difficult question to answer; is it not? If it had been shown that John Service had given secret information—

Mr. MORRIS. Military information.

General HOLMES. Secret military information to Philip Jaffe, would it have influenced my opinion? Yes.

Senator LODGE. Was Service the only person implicated in the Amerasia case who was on active duty in the State Department, in the Foreign Service?

General HOLMES. The only Foreign Service officer. There was a State Department employee by the name of Larsen.

Senator LODGE. What happened to him? Didn't they do something about him? Didn't the State Department take any action regarding Larsen?

General HOLMES. I presume it did; but it was action I would not take any—

Senator LODGE. You did not have the responsibility for that?

General HOLMES. I did have certain responsibility for it; but I had a direct responsibility for the Foreign Service, which was quite different.

In other words, whatever happened to Larsen was a Department personnel matter. I don't recall.

Senator LODGE. It did not come directly under you?

General HOLMES. No. Ultimately, it would have; but it was handled otherwise.

Senator LODGE. Service and Larsen, then, were the only two, were they—the only two persons involved in the Amerasia case who were connected with the State Department; is that right?

General HOLMES. To the best of my recollection, sir; that is right, sir.

Senator LONGE. Would it be fair to say that Service had shown a bit of stupidity in his conduct in connection with that case?

General HOLMES. Yes, sir.

Senator LONGE. That would be a fair description of it?

General HOLMES. I labeled it, at the time, "indiscretion."

Senator LONGE. How old was Service at that time?

General HOLMES. I would have to just estimate.

Senator LONGE. In his twenties or thirties?

General DOLMES. I think he was in his early thirties.

Mr. MORRIS. General, who was responsible for presenting the evidence to this Board?

General HOLMES. Mr. Davis.

Mr. MORRIS. Now, he had access to all FBI information at that time; did he?

General HOLMES. He had access to all information that the FBI had made available to the State Department. Whether or not there was other information, of course, I cannot say. I do not know.

Mr. MORRIS. You do not know whether he had asked the FBI if they had given him all the information and evidence that they had?

General HOLMES. I cannot be certain of that. I think he did, but I cannot be certain.

Mr. MORGAN. In a situation of this character, would it have been normal to develop all of the facts concerning it?

General HOLMES. Yes, sir.

Mr. MORGAN. And, was that Mr. Davis' responsibility, to get all the facts concerning Service's participation?

General HOLMES. Yes.

Mr. MORGAN. Is Mr. Davis still in the State Department?

General HOLMES. He is Minister to Hungary, at the moment, in Budapest.

Mr. MORGAN. I have nothing further.

Senator TYDINGS. General, do you know of any fact or any circumstance that, in itself, shows that there might have been any undue influence exercised in this case, which you have not testified to, but which might give us a lead, which we might pursue to develop the fact that undue influence might have been used?

General HOLMES. No, sir; I do not.

Senator TYDINGS. From your talk with the President, at the White House, when you and Mr. Grew—was it?

General HOLMES. Yes, sir.

Senator TYDINGS. When you went over there together, I would assume, from what you have said here, that this was the first time that the President knew that there was any action at all to postpone the arrests, and postpone the prosecution of the case?

General HOLMES. That was my impression. It was very definitely my impression.

Senator TYDINGS. Did the President act immediately when the matter was laid before him?

General HOLMES. Instantly, almost.

Senator TYDINGS. Was the action of a decisive nature?

General HOLMES. Very definitely so.

Senator TYDINGS. Was there any protest, so far as you can recall, on the part of the man to whom he was talking; that is, concerning further delay?

General HOLMES. No, sir.

Senator TYDINGS. Do you know whether or not the man on the other end of the telephone stated that he had been asked to hold it up—

General HOLMES. To the President?

Senator TYDINGS. Yes.

General HOLMES. No, sir; I am not—

Senator TYDINGS. You could not tell?

General HOLMES. I think that he probably did not; but just took the President's instructions. That is my impression.

Senator TYDINGS. And the reason you think—I don't believe you testified to it as first-hand knowledge—but the reason you think there was any delay in this matter was because of the pending San Francisco Conference?

General HOLMES. The suggestion was made that the reason for the proposed delay was that it was because of the San Francisco Conference, and relations with the Soviet Union.

Senator TYDINGS. Now, who told you that, specifically as nearly as you can remember?

General HOLMES. As near as I can remember, that was brought back to me from the Department of Justice by Mr. Lyon, by Fred Lyon.

Senator TYDINGS. I mean, you did not get any direct word? It came through an intermediary?

General HOLMES. That is right.

Senator TYDINGS. Thank you.

Senator LODGE. For whom was Mr. Lyon supposed to be speaking?

General HOLMES. Lyon was the State Department's FBI man. He had been over to see the FBI agent in charge of the case, who was Gurney.

Senator LODGE. Who was it that said "We want to go easy on the case, because of the Soviet Union?"

General HOLMES. That is where I am not quite certain.

Senator LODGE. Who told you that—Mr. Lyon?

General HOLMES. Mr. Lyon said that instruction came to Gurney from the Attorney General's office; that they were to hold up prosecution of the case, and the reason given was that, as clear as I remember it.

Senator LODGE. Yes?

General HOLMES. But the part on which I am not absolutely certain, to testify to, is that the person who conveyed that to the Department of Justice was the President's naval aide.

My recollection tells me that; but I cannot be certain.

Senator LODGE. The President's naval aide said that to the Department of Justice?

General HOLMES. Yes, sir.

I hope I made my point on that very clear, because I do not mean to testify that it was the President's naval aide.

Senator LODGE. But you heard it?

General HOLMES. I wanted to tell the committee that, to the best of my recollection; and give you my memory of what transpired, in order to get at the matter.

Senator Lodge. You do not know of any instruction coming out of the State Department that "We ought to go easy on these people, because of the situation with the Soviet Union?"

General Holmes. I know of no such instruction, and cannot see how such an instruction could have been given without my knowledge; and the additional evidence that there was no such instruction was the Acting Secretary of State himself, who responded to the suggestion with the same indignation with which I responded.

Senator Lodge. Who was the President's naval aide; what is his name?

General Holmes. I think it was Vardaman.

Senator Lodge. Is it not true, in spite of the fact that the President reacted with, or in such an apparently forthright manner at the conference of which you speak—in spite of that fact, the guilty people were not really punished; is that not true?

General Holmes. Well, Senator, the President reacted, I believe, on this basis—that, if there were guilty people, they certainly should be punished.

Senator Lodge. Yes?

General Holmes. And then the grand jury and the court, on the evidence before them, decided on the punishment that ensued.

Senator Lodge. The President indicated clearly he wanted to have them punished?

General Holmes. The guilty people punished.

Senator Lodge. And yet the end result was that they were not punished; isn't that true?

General Holmes. It is true that they were only fined.

Senator Lodge. They got a slap on the wrist, didn't they?

General Holmes. But it was the court that decided that.

Senator Lodge. I am not saying who decided that, but from the standpoint of the matter isn't that right—the result is what counts, and the guilty people were not punished?

I think we ought to find out from Mr. Vardaman whether he did give this instruction, Mr. Chairman.

Senator Tydings. One more question I would like to ask you, General.

Do you know of anybody who was connected with this outrageous procedure of getting these documents out of the State Department whose name has not been brought into this?

General Holmes. No; sir; I do not.

Senator Tydings. So far as you know, all of the people in the State Department who were involved in it have been named and have been brought into the open?

General Holmes. Oh, yes.

Senator Tydings. There is nobody connected with this, that you know of or that you have heard of, that has not been brought into the open?

General Holmes. No, sir.

Senator Tydings. Thank you.

Mr. Morris. May I ask a question?

Senator Tydings. Certainly.

Mr. Morris. General, who was Attorney General at the time of the alleged request on the part of the Attorney General to defer prosecution until the United Nations Conference?

Senator TYDINGS. I will try to get hold of Vardaman, Senator, and see what he knows about it.

Senator LODGE. All right.

General HOLMES. There was a change about that time.

Mr. MORRIS. Yes?

General HOLMES. I believe Mr. Clark had become Attorney General about that time.

Mr. MORRIS. He had already become so?

General HOLMES. I believe so. I am not certain of that.

Mr. MORRIS. And now, had Acting Secretary Grew asked you to make a recommendation to him with respect to whether or not the Justice Department had a case against the six defendants? Were you charged with that assignment?

General HOLMES. Not specifically that way; no.

Mr. MORRIS. When you say, "not specifically," General—

General HOLMES. He did not say to me, "Will you report back to me whether they have got a case?"

As I recall it, we discussed it, and we asked the Department of Justice, for our own information and guidance, to give us the case, which they did in memorandum form; and, in our opinion, not being lawyers, there looked as if there were a case, so we offered no objection and said, "From the point of view of the State Department, it is your responsibility."

Mr. MORRIS. Were you in the State Department in April 1945?

General HOLMES. Yes; I was.

Mr. MORRIS. Were you acquainted at that time with the personnel set-up of the Division of Far Eastern Affairs?

General HOLMES. In a general way; yes.

Mr. MORRIS. Did you know of a recommendation that had been made that Owen Lattimore be made Deputy Director of the Far Eastern Division?

General HOLMES. No, sir; I never heard of such a suggestion.

Mr. MORGAN. I might say for the record, Mr. Morris, that that is the first time we have. Do you have any evidence of that?

Mr. MORRIS. Yes. I heard that that recommendation had been made. That is why I asked if I could bring in those two particular people I mentioned about a month ago.

Mr. MORGAN. What people were those?

Mr. MORRIS. Well, General Holmes is sitting here now. Shall I give you that information in front of him?

Senator TYDINGS. I don't see why not.

Mr. MORGAN. That was—

Mr. MORRIS. Mr. Ballantine and Mr. Grew.

Senator TYDINGS. Did Mr. Grew tell you that?

Mr. MORRIS. No.

Senator TYDINGS. Who did?

Mr. MORRIS. I am not at liberty to say now.

Senator TYDINGS. Is it authentic?

Mr. MORRIS. I was told by a man in New York that in April of 1945 arrangements had been completed for Mr. Lattimore to be Deputy Director of the Far Eastern Division of the State Department.

Senator TYDINGS. What year?

Mr. MORRIS. April of 1945; but that Mr. Grew and Mr. Ballantine protested very vigorously and stopped the appointment.

Senator TYDINGS. Well, one man told you that, did he?

Mr. MORRIS. That is right.

Senator TYDINGS. Was he an employee of the State Department?

Mr. MORRIS. I have reason to believe, although he refused to disclose his source, that he got his information directly from a member of the State Department.

Senator TYDINGS. So he does not know that himself; he was told by somebody else?

Mr. MORRIS. That is right.

Senator TYDINGS. Did the other man who supposedly told him, and whom you don't know—

Mr. MORRIS. Whom I don't know.

Senator TYDINGS. Did he work in the State Department?

Mr. MORRIS. It was my understanding that he was in the State Department.

Senator TYDINGS. Did this man tell you that he did?

Mr. MORRIS. No; but I have a strong suspicion that he was.

Senator TYDINGS. I see.

Mr. MORRIS. That is why I think there is no conclusive way of determining that, Senator, except to bring Mr. Grew and Mr. Ballantine in and ask them.

Senator TYDINGS. Suppose it is so, what would it matter?

Mr. MORRIS. I don't know.

Senator TYDINGS. Does it have anything to do with the Amerasia case?

Mr. MORRIS. Conceivably, Senator.

Senator TYDINGS. I don't see what connection there would be, myself. I would be delighted to have any light thrown on it if it ties in in any way.

Mr. MORRIS. Senator, the people involved in the Amerasia case, some were in the Far Eastern Division of the State Department. We have had considerable testimony during the last several weeks—

Mr. MORGAN. I do not want to interrupt the questioning, Mr. Morris, but I would like so say, Mr. Chairman, that Mr. Heald, who is with us today and, of course, is assistant counsel on our staff, has interviewed Mr. Grew and we have here a statement signed by Mr. Grew relating particularly to the Amerasia case, and I think at the appropriate moment I would like to suggest that Mr. Heald read it into the record, with General Holmes here, inasmuch as he and Mr. Grew were associated at that time.

There may be some questions that this statement will elicit.

Senator TYDINGS. Have you finished?

Mr. MORRIS. I believe that is all.

Senator TYDINGS. Go ahead and read the statement.

Mr. HEALD, have you ever been sworn?

Mr. HEALD. No, sir; I have not.

Senator TYDINGS. I suppose, if you are going to read that, that I had better swear you in.

Do you solemnly promise and swear that the evidence you shall give in the matter before the committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HEALD. I do.

TESTIMONY OF ROBERT L. HEALD

Mr. MORGAN. I might ask a few preliminary questions.

Senator TYDINGS. Go ahead, and have him give his name, and so forth.

Mr. MORGAN. What is your name?

Mr. HEALD. Robert L. Heald.

Mr. MORGAN. What is your present capacity with this subcommittee?

Mr. HEALD. Assistant counsel with the subcommittee.

Mr. MORGAN. In the course of your work as assistant counsel with the subcommittee, did you have occasion to interview Mr. Joseph Grew?

Mr. HEALD. I did.

Mr. MORGAN. And as a result of that interview, did you obtain from Mr. Grew a statement?

Mr. HEALD. I did.

Mr. MORGAN. Will you read the statement for our records, now, please?

Mr. HEALD. This is his statement, dated May 20, 1950.

(The statement was read, as follows:)

STATEMENT FOR THE SENATE FOREIGN RELATIONS SUBCOMMITTEE

In accordance with the request of Mr. Robert L. Heald, assistant counsel of the subcommittee, I have prepared the following statement concerning my recollection of the facts relative to the so-called Amerasian case, which occurred when I was Acting Secretary of State.

The first time that I recall the case coming to my attention was when General Holmes, one of the Assistant Secretaries of State, called on me in the spring of 1945. He stated that the Federal Bureau of Investigation had evidence of the theft of documents from the Navy and State Departments. He wanted my authority to cause the arrest of the men involved, some of whom were State Department employees. I specifically requested General Holmes not to give me the names of any of the individuals involved until my decision had been taken, as I believed there should be no discrimination in the administration of justice. I asked General Holmes only two questions: (1) Did the Federal Bureau of Investigation have adequate evidence to support the charge; and (2) did General Holmes believe that prosecution would almost certainly result in conviction? When General Holmes answered both of these questions in the affirmative I authorized the arrests. I seem to recall that General Holmes stated he had consulted with the State Department legal adviser who had advised him that the Federal Bureau of Investigation had a good case.

After the arrests, I was informed of the names and was shocked to hear that Mr. John S. Service was among the six. However, when Mr. Service was not indicted, I wrote him a letter advising him that in my opinion he was completely cleared and was being reinstated to duty without any blemish on his fine record. It is my understanding that Secretary of State Byrnes also wrote Mr. Service to this effect.

I do not remember ever having been contacted by the White House in regard to this case, nor do I recollect ever having discussed the matter of the arrests with the President, although I may have done so as a matter of routine information. I do not have any personal knowledge that the White House was even aware of this matter prior to the arrests. I have no other knowledge of the Amerasian case inasmuch as after the authorization for the arrests had been given, the matter was entirely out of my hands.

Mr. Heald has asked me to state the facts surrounding my resignation from the State Department and specifically whether I was forced to resign. In this regard, I can say categorically that I was not forced to resign as Under Secretary of State. For some time I had desired to retire. The war was over; I was past the retirement age; and I was facing the prospect of a major operation. At the time that Secretary Byrnes was appointed, I advised him that I believed each Secretary should appoint his own Under Secretary of State because of the confidential relationship between the two posts. Secretary Byrnes

asked me, however, to remain in office until the end of the Potsdam Conference, which I did. At that time I renewed my request to be allowed to resign, and Secretary Byrnes agreed.

There is attached hereto a copy of a letter which I sent to Mr. Service, at his request, stating my position in the Amerasia case and containing my reply to the allegations that I was forced to resign as Under Secretary of State.

Respectfully submitted.

JOSEPH C. GREW.

Senator TYDINGS. The story has been told on the Senate floor and in the press that he was forced out.

Mr. MORGAN. Off the record.

(There was discussion off the record.)

Mr. MORGAN. Back on the record, please.

Mr. Chairman, there is an attachment to the statement of Mr. Grew which I request to be spread on the record at this point.

Senator TYDINGS. An attachment?

Mr. MORGAN. Namely, his letter relative to Mr. Service.

Senator TYDINGS. Yes; put it all in the record.

Mr. MORGAN. And we will have it spread on the record at this point. (The letter referred to is as follows:)

OUCHY-LAUSANNE, SWITZERLAND,
April 17, 1950.

DEAR MR. SERVICE: Your letter of April 13 has this moment reached me and I hasten to reply without delay.

My letter to you in August 1945, and that of the then Secretary of State, Mr. Byrnes, after the grand jury had cleared you in the Amerasia case, should be sufficient to clarify your position at that time and to substantiate the fact that you had been completely cleared, by the process of law, of the charges against you. My recollection is that I further stated that you would be reinstated in the Foreign Service without any implication of an adverse nature against your fine record, although I have not now the text of that letter before me other than the part you have quoted. That is the way democracy works.

There are inaccuracies in the public statements quoted in your letter.

I did not "insist on your prosecution" apart from that of the other five persons involved. Having been informed as Acting Secretary of State by supposedly reliable authority that an agency of our Government had what it considered complete evidence of guilt, I quite properly ordered the arrests, which, of course, presumed prosecution. I did not at that time know the names of the persons involved, including yours, and I did not wish to know them until the order had been carried out, for justice must not discriminate. When I learned that you, who stood so well in the Foreign Service, were one of those charged with the theft of official documents, I was, as I later wrote you, inexpressibly shocked. It was a great relief to me when you were cleared by the grand jury, and a great satisfaction to see you reinstated in the Foreign Service with no stigma whatever on your record.

I was not "forced to resign" as Under Secretary of State. Myths about this have arisen. For some time I had wished to retire. The war was then over, I had completed 41 years of service, I had passed the usual age limit, and I was at that time in ill health and was facing a possible major operation. It was therefore entirely on my own initiative that I insisted on retiring, even though Secretary Byrnes strongly urged me to continue in service.

Those are the facts, and you may use this letter in any way you wish.

With the best of wishes to you,

Very sincerely yours,

JOSEPH C. GREW.

Senator TYDINGS. Well, I think we will recess now until Friday at 10 o'clock for our next meeting here.

Mr. MORRIS. Is anything scheduled for tomorrow?

Senator TYDINGS. No; because we had Mr. Van Beuren and he has begged several times, so we have given him another day.

(Whereupon, at 12:10 p. m., the subcommittee stood in recess until Friday, June 9, 1950, at 10 a. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

THURSDAY, JUNE 8, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met at 2:30 p. m. in room G-23, United States Capitol, pursuant to notice, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee.

Senator TYDINGS. All right, the subcommittee will please be in order.

Mr. Vardaman has requested permission to appear before the subcommittee and give a statement.

All right, Mr. Vardaman, will you please be sworn and give your full name.

TESTIMONY OF JAMES K. VARDAMAN, JR.

Mr. VARDAMAN. My name is James Kimble Vardaman, Jr.

Senator TYDINGS. And your age?

Mr. VARDAMAN. Fifty-five, sir.

Senator TYDINGS. Your address?

Mr. VARDAMAN. Business, sir?

Senator TYDINGS. Either one.

Mr. VARDAMAN. Federal Reserve Board, Washington, D. C.

Senator TYDINGS. Mr. Vardaman, you have read the accounts that were published in the newspapers?

Mr. VARDAMAN. Yes, sir.

Senator TYDINGS. Have you any statement you desire to make in regard thereto?

Mr. VARDAMAN. If it please the chairman, I would like to read a statement.

Senator TYDINGS. Is it long?

Mr. VARDAMAN. No, sir; about 3 or 4 minutes.

Senator TYDINGS. Go on and do it.

Mr. VARDAMAN. Of course, I am at the committee's disposal for any questions that you may want to ask.

Senator TYDINGS. All right.

Mr. VARDAMAN. This is a statement of James K. Vardaman, Jr., with reference to the Amerasia case at the time he appeared before the subcommittee of the United States Senate investigating charges of communism in the State Department at 2:30 p. m., on Thursday, June 8, 1950.

The committee did not deem it advisable to grant my request that my testimony in this matter be heard in open session, but has considerably granted me permission to state publicly the substance of my testimony, which was as follows:

This is in accordance with the discussion with Mr. Morgan.

Senator TYDINGS. Yes. Go right ahead.

Mr. VARDAMAN. I reported to the White House as naval aide to the President about the 6th of May 1945, having come direct from 90 days' combat duty in the Philippines and the initial assault and occupation on Okinawa. Prior to that time I had spent 3 years in hospital and on combat duty in north Africa, Tunisia, Sicily, and Italy. I make this statement to indicate why I was neither interested in nor acquainted with matters, other than my naval and Army duties.

Immediately after reporting to the White House, I was assigned the duty of supervising the operations of the map room, of receiving and transmitting to the President all dispatches, both secret and otherwise, and briefing the President morning, noon, and evening on the events of the war then going on in Europe and the Pacific. I was also responsible for the operation of the Presidential yacht, the Presidential mountain camp, and the administration of the naval aide's office, and liaison between the Presidency and the Department of the Navy on naval matters.

So far as the so-called Amerasia case is concerned I repeat the statements which I made to the press on yesterday to the effect that I knew nothing about it at that time, nor do I recall having taken any notice of it until the last several weeks when I had been headlined in the press.

Senator GREEN. You mean the past several weeks?

Mr. VARDAMAN. Yes, sir; the past several weeks. That is, since this has been brought out.

Senator TYDINGS. Why don't you say "recent several weeks" and that will make it plain?

Mr. VARDAMAN. The "previous" instead of the "last"?

Senator TYDINGS. All right, anyway you wish so that it may be clearly understood.

Mr. VARDAMAN. All right. Will you change that to the "previous" several weeks.

Senator TYDINGS. All right.

Mr. VARDAMAN. At no time then or now have I discussed the Amerasia case with anybody except informally during the last several days. At no time have I ever contacted by telephone, by letter, or otherwise any civilian or military officer of the Government in any department regarding this case. To be more specific, I have not at any time contacted, directly or indirectly, any officer or employee of the Navy Department, the State Department, the Department of Justice, or the FBI with reference to this case or any similar case.

My work as naval aide was extremely taxing, requiring constant duty on the jobs pertaining to the office and I did not have at any time

during my service as naval aide to the President any authority or inclination to participate in or interfere with any work other than the specific duties for which the naval aide was responsible.

If, as reported in the press, Brigadier General Holmes testified that he was under the impression that I had anything whatsoever to do with this case, all I have to say is that such an impression was not correct and must have been based on misinformation. I am not questioning General Holmes' intentions or his sincerity, but I simply want to make quite clear that I had nothing whatever to do with this case at any time.

Senator TYDINGS. Thank you. I don't think we have any questions, unless the committee members desire.

Senator LODGE. So you never did anything to delay prosecution or action on the Amerasia case in any way, shape, or manner. Is that correct?

Mr. VARDAMAN. I did not. I did not know of the existence of the case.

Senator LODGE. Thank you.

Senator TYDINGS. Senator Green.

Senator GREEN. You are basing your statement entirely on newspaper reports. Have you seen the record of the hearing?

Mr. VARDAMAN. No, sir; I have not seen the record of the hearing.

Senator GREEN. Would you like to see the record of the hearing?

Mr. VARDAMAN. Well, wait. I said I didn't see it. I did see one copy but I didn't read it carefully. Some newspaper reporter brought it into my office, but I didn't examine it carefully.

If the Senator thinks I should, I will.

Senator GREEN. No; but I thought you might have.

Mr. VARDAMAN. I would like to get the whole story as to the conclusion of any—

Mr. MORGAN (interposing). I would like to be sure our record is clear here. May I interrupt your statement a moment?

Mr. VARDAMAN. Yes, sir.

Mr. MORGAN. Have you seen a record of our proceedings here?

Mr. VARDAMAN. No. Only the Congressional Record. I haven't seen the committee report.

Senator TYDINGS. At any rate, you deny in toto any connection in any manner, shape, or form, to any degree or to any extent, any contact with this case other than reading the press recently?

Mr. VARDAMAN. Absolutely.

Senator TYDINGS. Well, I think we could recess at this time. That is all. I wanted to give you an opportunity so you could deny it.

Mr. VARDAMAN. I appreciate that very much.

Senator TYDINGS. Mr. Grew sent up yesterday a statement, which consisted of a page or a page and a half that deals only with incidental matters. On recollection, he remembers now what he could not remember yesterday completely. He has sent up a little statement correcting his previous statement. Do you want to hear it read, or do you simply wish to put it in the record?

He simply says "I could not remember we had gone to the White House," and now he does. Is that correct, Mr. Morgan?

Mr. MORGAN. Yes, sir.

Senator TYDINGS. And today he says he remembers he did go to White House, and he supports General Holmes' statement he went over there.

Senator LODGE. The full text will be put in the record?

Senator TYDINGS. Yes, so both will be in conformity.

Mr. MORGAN. I suggest it be spread on the record.

Senator TYDINGS. All right, it will be put in the record.

(The statement of Hon. Joseph C. Grew, referred to, follows:)

SUPPLEMENTARY STATEMENT FOR THE SENATE FOREIGN
RELATIONS SUBCOMMITTEE

(June 7, 1950)

In my statement of May 20, 1950, to Mr. Robert L. Heald, Assistant Counsel to the subcommittee concerning my recollection of the facts relative to the so-called Amerasia case I told Mr. Heald that since 5 years had gone by since the case was brought to my attention and since at that time and thereafter I was intensively occupied as Acting Secretary of State with difficult problems at a time of turmoil in various parts of the world, I could not guarantee that my present recollection of the detailed facts in the case was complete. The points in my statement were, however, as complete and accurate as at the moment of my first talk with Mr. Heald I could recall.

In a further talk today with Mr. Heald I informed him of my refreshed recollection that in early June, 1946, a report was brought to our attention in the State Department that the Department of Justice had given orders to delay the prosecution of the six persons under suspicion until the termination of the San Francisco Conference; that on learning of this report I went to the President, accompanied by Brig. Gen. Julius C. Holmes, then Assistant Secretary of State, and that the President on receiving this information immediately, in our presence, telephoned to the Federal Bureau of Investigation and gave orders that the prosecution of these persons should proceed without delay.

One further point in my original statement is that "I authorized the arrests." It has correctly been pointed out to me that the arrests could be undertaken only by the Department of Justice and that my action in the matter was simply to give the green light for the arrests so far as the State Department was concerned.

Senator TYDINGS. We will adjourn until 10 o'clock a. m., tomorrow.

(Whereupon, at 2:50 p. m., the subcommittee adjourned until 10 a. m. Friday, June 9, 1950.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

FRIDAY, JUNE 9, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D.C.

EXECUTIVE SESSION

The subcommittee met at 10 a. m. in room G-23 United States Capitol, pursuant to adjournment on Thursday, June 8, 1950, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, McMahon, and Hickenlooper.

Also present: Mr. Edward P. Morgan, chief counsel to the subcommittee; E. P. Heppner, Esq., counsel to Mr. Van Beuren.

Senator TYDINGS. Will you stand up and hold up your right hand? Do you solemnly promise and declare that the evidence you shall give in the pending matter before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VAN BEUREN. I do.

Senator TYDINGS. Have a seat, sir.

TESTIMONY OF ARCHBOLD VAN BEUREN

Senator TYDINGS. Will you give us your name?

Mr. VAN BEUREN. Archbold van Beuren.

Senator TYDINGS. Your age?

Mr. VAN BEUREN. I was born on December 21, 1905. I am 44.

Senator TYDINGS. And your present occupation?

Mr. VAN BEUREN. President of Cue Publishing Co., Inc., publisher of Cue Magazine.

Senator TYDINGS. And your address?

Mr. VAN BEUREN. My legal residence is Indian Avenue, Middletown, R. I. I also maintain a residence at 640 Park Avenue, New York City.

Senator TYDINGS. Mr. van Beuren, what was your occupation on January 1, 1945?

Mr. VAN BEUREN. On January 1, 1945, I was Security Officer of the Office of Strategic Services.

Senator TYDINGS. And you had been for some time prior thereto?

Mr. VAN BEUREN. I had been Security Officer, Chief of Branch, since about August of the preceding year.

Senator TYDINGS. How long did you continue in that office after January 1, 1945?

Mr. VAN BEUREN. Until September, 1945.

Senator TYDINGS. Mr. Frank Bielaski, at our request, came before the committee and gave us an account of his assignment by General Donovan to look into this Amerasia matter. He likewise detailed the work that he did in connection therewith, going in the place and finding documents and bringing some of them to Washington and turning them over to General Donovan and to you. He testified that General Donovan then told him to do no more in the case, and took it up with the State Department, as I recollect. He was told he took it up with the State Department. His connection with the matter then stopped.

The State Department then, as we have had subsequent testimony to substantiate, turned the matter over to the FBI, who took hold of the case and in due time made arrests. I tell you that so you will have some general idea of what the record shows up to the present time.

I would appreciate it if, first, you would tell us what your connection with the matter was after Mr. Bielaski came back and reported the results of his findings to you and to General Donovan.

Mr. VAN BEUREN. Well, sir, Mr. Bielaski came back and reported his findings to me on the morning, during the morning, of March 11, 1945.

Senator TYDINGS. He reported to you first, did he?

Mr. VAN BEUREN. That is correct, first. Mr. Bielaski did not see General Donovan in person.

Senator TYDINGS. I believe he testified he did report to you.

Mr. VAN BEUREN. He handed me at that time a bunch of documents and told me that he had obtained them the night before in the Amerasia office in New York, and described to me that there were many other documents there of a similar nature, that this was a very small sample of the total group. He laid the documents on my desk one by one, and I became more and more amazed as I heard him describe the circumstances under which he had found them and saw the documents themselves.

I then requested General Donovan, or rather one of General Donovan's legal assistants, a Maj. J. J. Donovan, to come down to my office and talk with me and with Mr. Bielaski, to view the matter about which he had just told me. We decided that the documents were of such importance and the circumstances under which they had been found were of such importance that we should report the matter to General Donovan at the earliest possible moment.

Mr. Bielaski spent possibly an hour or two in my office, and then returned to New York.

Major Monigan and I saw the General at his earliest convenience, which was some time later on the same day, and went over with him the facts and gave him a chance, an opportunity, of looking over the documents and considering the import of the situation.

General Donovan decided that since all the documents bore the imprint of the Department of State, the seal of the Department of State, as having been received by it in such cases where they were not documents originally prepared by the Department of State, Mr. Stettinius should hear of the matter as soon as possible. It was then mid-evening, and General Donovan called Mr. Stettinius at his apartment at the Wardman Park and asked whether he could come up and see him at once. He suggested to the Secretary of State that if he could get hold of him he might ask Assistant Secretary General Holmes, and

also Mr. Frederick B. Lyons, to be present. The General, Major Monigan, and I went up to the Wardman Park in the General's car, and arrived in Mr. Stettinius' apartment. By "we" I refer to the General, Major Monigan, and myself.

Senator TYDINGS. How long after Mr. Bielaski reported was this?

Mr. VAN BEUREN. This was about 10 o'clock in the evening of the same day, the 11th of March, 1945.

Senator TYDINGS. That Mr. Bielaski reported and showed you the result of what he had found up in the Amerasia offices?

Mr. VAN BEUREN. That is correct.

Senator TYDINGS. Now go ahead.

Mr. VAN BEUREN. The Secretary, who had been roused out of bed for this meeting, because he had had an early evening and was probably getting some much needed rest, was in his dressing gown and informal attire.

Senator TYDINGS. That was Stettinius?

Mr. VAN BEUREN. Yes, sir. General Holmes was also present. Secretary Stettinius said, as I recall, that he had been unable to reach Mr. Lyons, so that he was not there.

General Donovan had the documents which Mr. Bielaski had brought down in an envelope with him, and he said, "Good evening." They were on a first-name basis: "Good evening, Ed. I have got something here that will be of great interest to you."

He walked over and placed the documents in the Secretary's lap, and as the Secretary went through them explained the circumstances under which they had been found and the events leading up to that moment.

The Secretary, after looking through the documents, turned to General Holmes, who was right beside his chair, and said, "Good God, Julius, if we can get to the bottom of this we will stop a lot of things that have been plaguing us."

There were then some further questions and a discussion of the circumstances surrounding the event, and some discussion of possible ways and means of carrying out or taking subsequent steps. I wouldn't say that the visit, our visit, lasted more than three-quarters of an hour at the outside. Possibly it was somewhat less. And we left after Mr. Stettinius had thanked General Donovan for giving him these documents and was saying that he would take all necessary steps promptly, as soon as he had had a chance to talk with his associates the next day.

We returned home. General Holmes came with us in General Donovan's car and we all went to our respective homes.

Senator TYDINGS. Let me ask you there, Mr. van Beuren, was there any tacit or expressed conclusion that the matter then would be handled by the State Department? I mean, that they would get in touch with the FBI?

Mr. VAN BEUREN. There was no conclusion as to whom the State Department would get in touch with. There was certainly a conclusion that the State Department would handle the matter from then on.

Senator TYDINGS. They thanked you for your efforts and what you had turned up and presented. What was the conclusion that you generally assumed had been reached as a result of this conference?

Mr. VAN BEUREN. The conclusion that I assumed had been reached was that the State Department would handle the matter itself.

Senator TYDINGS. They would try to run it down from there on?

Mr. VAN BEUREN. They would try to run it down.

Senator TYDINGS. Let me ask you this: At that point did you gentlemen more or less withdraw from it and let the State Department go on with the investigation, or did you continue with it?

Mr. VAN BEUREN. We withdrew entirely, sir. We had found the source into which our missing document had fallen.

Senator HICKENLOOPER. What do you mean by your missing document?

Mr. VAN BEUREN. The one that originally started the investigation.

Senator TYDINGS. OSS had a document that was missing which had been printed in the magazine and sort of cued and tipped off the whole thing. That is the document you mean, is it not?

Mr. VAN BEUREN. That's right.

Mr. MORGAN. The Thailand document.

Senator TYDINGS. Did you have occasion to enter the matter again directly or indirectly insofar as the part of the investigation was concerned?

Mr. VAN BEUREN. No, sir. To the best of my knowledge we were never consulted in any manner from then on about the situation.

Senator TYDINGS. And, of course, as we all know now and as you probably knew then, the FBI was called in and took over the active investigation of the case.

Mr. VAN BEUREN. That is correct.

Senator TYDINGS. You knew that at the time, did you, actually?

Mr. VAN BEUREN. I heard it unofficially.

Senator TYDINGS. You assumed it was so?

Mr. VAN BEUREN. I assumed it was so.

Senator TYDINGS. Of course, we know now it was so.

I don't want to put words in your mouth. I am trying to save time. You correct me if what I say isn't accurate.

I assume from what you have said that you would not be in position to testify concretely as to who was actually taking these documents from the State Department and giving them to the Amerasia people.

Mr. VAN BEUREN. No, sir; I could not testify at all to that. The first information that I had of that was when the arrests were announced in the newspaper.

Senator TYDINGS. Let me ask you, then, four or five questions here very quickly. Do you know how these documents arrived at Amerasia?

Mr. VAN BEUREN. Of my own knowledge?

Senator TYDINGS. Yes.

Mr. VAN BEUREN. Did I know at that time?

Senator TYDINGS. Do you know now or did you know then how they got there? I don't mean from hearsay, but did you turn up anything that would help us?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. Do you know who brought them to Amerasia?

Mr. VAN BEUREN. Not except what I have heard.

Senator TYDINGS. I am only doing this to make up the record.

Mr. VAN BEUREN. Not except what I have heard subsequently.

Senator TYDINGS. Do you know what happened to them after they came to Amerasia? That is, were they passed on to some other government or agent of some other government, or did they serve some disloyal or ulterior purpose so far as you know?

Mr. VAN BEUREN. The only information I have on that, Senator, is what I have heard from Mr. Bielaski.

Senator TYDINGS. We had Mr. Bielaski here, and I would rather you testified to what you know, otherwise we are just compounding the situation. What I would like to get are facts that we can get hold of.

Mr. VAN BEUREN. I prefaced my remark for that reason.

Senator TYDINGS. Of course, this was a dastardly, terrible thing, the finding of all these documents there, and one thing that we ought to do in connection with this hearing, in my judgment, is not only to see if anybody who is guilty escaped that ought to have been punished, insofar as we can, but I would like to try to establish some procedure, some suggestions at least, so that if we ever have another war, or even in peacetime, for that matter, during a critical period like we are now going through, we could devise some security measures that would at least minimize the possibility of this happening, so far as human beings can.

I am going to ask you—not now, because it wouldn't be fair to ask you now—from your own experience, having charge of a great many OSS documents and knowing the importance of security, if you would take the time in the not too distant future, at your leisure, to make to this committee some suggestions that we might incorporate in our report that would tighten up in peacetime and in wartime the whole surveillance of documents and the custody of documents.

Another thing I would like you to do, I would like you to see if there isn't a better way of classifying matter. For example, we both know that a great many things are marked "Classified" that ought not to be classified. We know that that tends to deteriorate the quality of the things that are classified, because people get careless if everything is marked classified. They say "Oh, well," and therefore something that is highly secret is probably devalued a great deal from what its real worth as a secret document would be.

I would like, if you have the time, and it would be appreciated if you would give us, too, any kind of formula that we might utilize in connection with the future classification of documents, either in time of peace or war.

I would also appreciate it, because I would like to see something constructive come out of this hearing, if you could, out of your own experience as a security officer for OSS, make any suggestions to prevent a recurrence of this situation insofar as it occurs to you. I will be very much indebted to you if you will give us that. I would like to put it in the record. If you could prepare a statement, not too long, but giving us the points when you have time, I will be very grateful to you. Do you think you could do so?

Mr. VAN BEUREN. I should try to do so to the very best of my ability.

Senator TYDINGS. What we ought to do to treat this wound is to prevent another wound from being inflicted. It might be more important in the future than it has been in the past, at some critical time.

So that, in sum, your connection with this matter stems from the fact that Mr. Bielaski was employed, he made his report, you turned over your information to the State Department, from which period the State Department and FBI took over. Is that about a fair summary of it?

Mr. VAN BEUREN. Yes, sir.

Senator TYDINGS. Do you have some questions, Senator Hickenlooper?

Senator HICKENLOOPER. Mr. van Beuren, this Thailand document you spoke about, which was missing, your first knowledge of that being out of custody at least was when it appeared in Amerasia, is that correct?

Mr. VAN BEUREN. Yes, sir; when not a transcript but when a summary of it, so to speak, appeared in Amerasia magazine.

Senator HICKENLOOPER. And you recognized it was the document which had been developed by OSS?

Mr. VAN BEUREN. I did not personally do so.

Senator HICKENLOOPER. I mean it was recognized in OSS.

Mr. VAN BEUREN. In OSS.

Senator HICKENLOOPER. That was called to your attention?

Mr. VAN BEUREN. By the man who had prepared it originally.

Senator HICKENLOOPER. That document, when OSS developed it, what hands did it go through? In other words, did you give a copy of it to the State Department? Did you give a copy of it to the military? When I say "you," I mean OSS.

Mr. VAN BEUREN. The OSS? It had, sir, a fairly wide authorized dissemination in the Government, not only in our own organization, where it went to several departments from its original source, which was the Far East Division of Research and Analysis, but also one or more copies were authorized for dissemination to State, War, and Navy. I am sure of those three; I am not sure of my recollection, but Treasury and Censorship may have been in on the distribution too.

Senator HICKENLOOPER. Would you know what officials in the State, War, and Navy Departments would have direct charge of that document when it got there?

Mr. VAN BEUREN. No, sir; I would have no knowledge of their internal routing after it reached them.

Senator HICKENLOOPER. And at the time you seized these documents, among which was the one you were looking for of your own, and I am asking because I was not here at the beginning of this so I may be repeating something, were there any persons in the Amerasia office or in the place you found these documents?

Mr. VAN BEUREN. No, sir; there were no persons except OSS agents.

Senator HICKENLOOPER. Excuse me; I should have made that clear—any persons connected with Amerasia or any other persons outside of the OSS agents?

Mr. VAN BEUREN. No.

Senator HICKENLOOPER. Were you ever, or so far as you know was OSS ever, contacted for information with regard to these documents or with regard to the proceedings in connection with the seizure of the documents by the FBI or by any units of Army Intelligence or Naval Intelligence or the Military Intelligence establishments after you had turned these over to the State Department?

Mr. VAN BEUREN. Not to my knowledge, sir.

Senator HICKENLOOPER. So that so far as you know, is this correct: The only report that OSS made about these documents was directly to Mr. Stettinius, Secretary of State?

Mr. VAN BEUREN. So far as I know, that is correct, sir.

I would like to add just one more item to that. I believe I have been told—I have no personal knowledge of this—that meetings were held the following morning in Secretary Holmes' office to discuss procedures in this matter, at which Major Monigan, to whom I have referred, was present.

Senator HICKENLOOPER. I see.

But to all practical purposes, this episode of a day or two, and any discussion afterward, ended so far as the OSS pursuing the matter any further, or being later contacted?

Mr. VAN BEUREN. That is correct.

Senator HICKENLOOPER. Mr. van Beuren, at that time how would you classify or rate the importance of this particular document of OSS that you were concerned with, so far as it being of important military or national significance and public security was concerned?

Mr. VAN BEUREN. The particular document with which we were first concerned?

Senator HICKENLOOPER. That is the Thailand document, I understand.

Mr. VAN BEUREN. The Thailand document, as I understand it, sir, was one of a continuing series of studies on Thailand. It dealt in general with the conflict of interest between the various allied nations in the Thailand situation, particularly the British and ourselves. I would not be able, not being a student of far eastern affairs or those matters, to evaluate its importance in that regard. Certainly as one of a series it had a very definite importance.

Senator HICKENLOOPER. May I ask it this way: At the time, or now—I want to make the question as broad as possible—do you or do you not consider that this document contained information which would be valuable information to an enemy of the United States if it fell into the hands of an enemy of the United States, and could it be detrimental to United States interests in the hands of an enemy?

Mr. VAN BEUREN. The answer is "Yes, sir," to both of those questions. I do so consider it.

Senator HICKENLOOPER. Do you care to, or are you sufficiently familiar with the other documents which you seized, to say whether any of these documents were documents that in your opinion would have been of aid or benefit to an enemy of the United States with the possibility of detriment to the United States, being in the hands of an enemy?

Mr. VAN BEUREN. Of the 12 or 15 documents which I saw, sir, which Mr. Bielaski brought to me, to the best of my recollection—and I have been recollecting as far as I can—one was a document dealing with German order of battle.

Senator TYDINGS. What do you mean by that?

Mr. VAN BUREN. Disposition of German forces.

Senator TYDINGS. Where?

Mr. VAN BEUREN. In Germany.

Senator TYDINGS. At a given date, do you mean?

Mr. VAN BEUREN. At a given date.

A second document, of which I recall no details, was marked: "For the attention of the Director of Naval Intelligence only." The balance of the documents, according to the best of my recollection, dealt entirely with far eastern matters, principally political and economic developments. I do not recall any of those far eastern documents which dealt with battle order or naval dispositions or those matters.

Senator HICKENLOOPER. With regard to the documents as you recall them, was it your opinion then, or it is now—or what was your opinion then or what is your opinion now; I will put it that way, as to whether or not these documents that you recall would have—I am asking for your opinion as to whether or not they would have been of benefit to an enemy of the United States, with a corresponding or comparable detriment to the United States if they had fallen into the hands of an enemy?

Mr. VAN BEUREN. My opinion, and I cannot state it too strongly, is that they would have been of benefit to an enemy of the United States and a detriment to the United States.

Senator HICKENLOOPER. Let me ask you this. I don't know how far I would want to probe this particular question, but I will ask you a rather general question first and make up my mind a little later. Did you at any time, either prior to the seizure of these documents, at the time of the seizure, or afterward, come into possession of any direct evidence that any person then in the State Department or connected with the State Department had anything to do with the delivery to Amerasia of classified documents? I am just asking whether information came directly to you.

Mr. VAN BEUREN. I understand the question to be, did I come into possession of any such direct evidence?

Senator HICKENLOOPER. Yes.

Mr. VAN BEUREN. No, sir; I did not.

Senator HICKENLOOPER. Do you know whether there is any source within OSS or any other official Government agency that did come into possession of any direct evidence that any individuals connected with the State Department had anything to do with the delivery of classified documents to Amerasia? I am not asking you for just your guess on the thing, or any rumor. I am asking for some place where we might be able to go to investigate—

Senator TYDINGS. Direct knowledge; something we can get hold of.

Mr. VAN BEUREN. I would assume, sir, that since the Federal Bureau of Investigation arrested John Stewart Service and Larsen and Roth, all of whom were connected with the State Department, that they had such evidence.

Senator HICKENLOOPER. But so far as you are personally concerned, or the OSS personnel, so far as you personally know, you did not acquire direct evidence on your own investigation that any person in the State Department had anything to do with transferring documents or delivering documents of a classified nature to Amerasia or any of its personnel?

Mr. VAN BEUREN. No, sir.

Senator HICKENLOOPER. Was OSS, so far as you know—that is, you or any other person connected with OSS—contacted or interviewed either prior to or any time thereafter, the arrests of these persons in the Amerasia case with regard to evidence or the giving of evidence, or what evidence you could give? In other words, did anybody come

and interview you or interview anybody in OSS to your knowledge about any facts or circumstances which might be used as evidence in a trial or prosecution of either the people who were arrested or the possibility of arrest?

Mr. VAN BEUREN. So far as I know, not, sir, with the single exception that I myself was contacted quite recently by Mr. Service and Mr. Service's attorney. By quite recently, the date was April 27 of this year. I was contacted as to whether or not I had any information in connection with Mr. Service's loyalty hearing.

Senator HICKENLOOPER. And did they make any representations of any kind to you at that time, or what was the nature of that contact?

Mr. VAN BEUREN. The nature of the interview was simply this, sir, that they asked me whether I had known of Mr. Service during this period we are talking about, or prior to his arrest, and I told them that I had never heard Mr. Service's name until I had read it in the newspaper. I gave them an outline of the facts that I have testified to here as to my connection with the Amerasia matter.

Senator HICKENLOOPER. I am sorry my background is not the best on this. There might be some other questions I would want to ask Mr. van Beuren. At the moment, that is all I have.

Senator TYDINGS. Mr. Morgan, do you have some questions?

Mr. MORGAN. Yes, a few.

For our record, Mr. van Beuren, am I to understand that you were not interviewed by representatives of the FBI either before or after the arrest?

Mr. VAN BEUREN. Either before or after the arrests? I was not interviewed before or after. I omitted one part of what I should have answered to Senator Hickenlooper's question.

Subsequent to my conversation here in April, just past, with Mr. Service and Mr. Service's attorney, two representatives of the FBI called on me at the request of the Loyalty Board.

Senator TYDINGS. That was in 1950?

Mr. VAN BEUREN. Yes, sir, within the last 3 weeks.

Mr. MORGAN. Weren't you interviewed on June 21, 1945, by Special Agent Oscar Keep, of the FBI?

Mr. VAN BEUREN. I may have been, Mr. Morgan. It would have been in the course of regular business. I have no independent recollection of it.

Mr. MORGAN. I mean, interviewed specifically in connection with your knowledge of the Amerasia case and your knowledge concerning the documents in the case?

Mr. VAN BEUREN. I have no recollection of it. I have since been told by my associates, although I have no recollection of this either, that subsequent to the arrests a number of OSS documents were brought over to the Office of Strategic Services by agents of the FBI for identification, with the understanding at least on the part of those who saw them that they had been found in the Amerasia offices, and we were asked to identify them and to check their dissemination and give the facts about them. That, however, was handled not by me personally. That was handled by my deputy. I had no recollection of this until I spoke to him.

Mr. MORGAN. As I understand your testimony, Mr. van Beuren, at the meeting, I believe, at Mr. Stettinius' home, reference was made

to the fact that this situation might clear up something that had been plaguing you.

Mr. VAN BEUREN. Things that had been plaguing them.

Mr. MORGAN. What was meant by that, do you know?

Mr. VAN BEUREN. I have no idea, sir.

Mr. MORGAN. Was it your understanding that that might indicate that there had been other leakage of information?

Mr. VAN BEUREN. It could have been so understood.

Mr. MORGAN. Up to this time had you in OSS had any problem in that respect?

Mr. VAN BEUREN. Yes; we had had some problems.

Mr. MORGAN. Had you made investigations concerning them?

Mr. VAN BEUREN. We had.

Mr. MORGAN. And had you developed any information as to anyone in OSS who might have been active in abstracting or removing documents?

Mr. VAN BEUREN. No; we had not developed any such information.

Mr. MORGAN. We have had a nasty word tossed into this proceeding, Mr. van Beuren, in connection with this Amerasia case, the word "fix." I would like to know if you have any knowledge concerning a possible fix, or a fix, in connection with this case.

Mr. VAN BEUREN. I have not, sir.

Senator McMAHON. Could I see Mr. van Beuren's letter that he addressed to the committee? Didn't I see in the press that Mr. van Beuren addressed a letter to the committee subsequent to some of you gentlemen interviewing him?

Mr. MORGAN. You may refer, Senator, to a wire he sent Senator McCarthy, and I, of course, will want to interrogate him a little about that.

Senator McMAHON. That did not come to the committee? Is that available?

Mr. MORGAN. I have a copy as reported in the Congressional Record.

Senator McMAHON. I want to look at it in connection with this testimony that is apparently now being examined into.

Mr. MORGAN. Have you given us, Mr. van Beuren, the full extent of your knowledge concerning the nature of the documents, their significance in your opinion?

Mr. VAN BEUREN. If I have not so stated I would like to state, sir, that all the documents which I saw were classified. My recollection is that the classifications ran from "Confidential" on up to "Top Secret," I think I have already said that the documents had been originally prepared by various Government departments, the documents I saw, including OSS, War, Navy, and State. I know I have said that every document that did originate in other than the State Department was an official State Department copy.

Mr. MORGAN. Did any of these documents relate in any way to the atomic bomb?

Mr. VAN BEUREN. Of the ones I saw, no, sir.

Mr. MORGAN. Do you have any knowledge about the possibility of one of them relating to the A-bomb?

Mr. VAN BEUREN. The only knowledge I have about that is what has been—I have since discussed, long since discussed, with Mr. Bielaski, about a document which he recalled seeing dealing with A Bombing Plan for Japan, or some such title.

Mr. MORGAN. At any time, Mr. van Beuren, did you consider any of these documents to be relative to the atomic bomb, or did anyone in OSS to your knowledge at any time so consider them?

Mr. VAN BEUREN. No, sir; certainly not. I certainly had no knowledge of the atomic bomb at that time.

Mr. MORGAN. In connection with the documents and the characterization of them, I certainly don't want to get into a legal field on this, and I presume you are not a lawyer—

Mr. VAN BEUREN. I am not, sir.

Mr. MORGAN. Under the Federal espionage statutes, it is my understanding that documents to constitute a violation must be related to the national defense. Did you regard these documents which you saw as national defense documents?

Mr. VAN BEUREN. I believe I would so characterize them, sir. Not being a lawyer, I do not know what the limitations of national defense were, but we were at war at that time, and I would assume that any classified Government document from a war agency would deal with the national defense.

Mr. MORGAN. Was it your understanding, or have you been under the impression, that these documents were to be utilized by an enemy of the United States?

Mr. VAN BEUREN. At that time, no.

Mr. MORGAN. Was it your understanding that it was to be used by any foreign nation?

Mr. VAN BEUREN. My answer to that would be, sir, that a very cursory investigation of Amerasia's affairs indicated that Mr. Jaffe had distinct Communist connections.

Mr. MORGAN. What are we to infer from that in connection with the question just asked?

Mr. VAN BEUREN. Well, I would assume, therefore, and it is nothing more than an assumption, that any documents to which Mr. Jaffe had access might well be made available to the Russians.

Mr. MORGAN. Was the Soviet Union an enemy of the United States at that time?

Mr. VAN BEUREN. It was not.

Mr. MORGAN. We have, of course, a great many documents in the picture here—some seized at Amerasia headquarters, and others seized at quarters of other subjects in the case. We are trying very diligently to ascertain who may have been parties to the purloinment or the abstraction or the embezzlement, as you might like to characterize the manner in which they were taken out of Government offices. Some of the documents are OSS documents. As the security officer in OSS, could you give to us any assistance as to who may have been responsible for the removal of the documents of OSS?

Mr. VAN BEUREN. To the best of my knowledge and belief, sir, and after a very considerable investigation which was made of the subject, no member of OSS was responsible for passing those documents into unauthorized hands.

Mr. MORGAN. Did you make a separate investigation concerning that, or was that left entirely to the FBI?

Mr. VAN BEUREN. We made our own investigation concerning that. We were constantly trying to maintain our own security.

Mr. MORGAN. So would you feel reasonably confident, therefore, in assuring this committee that it was not OSS personnel that might have been involved in any way in the removal of the documents?

Mr. VAN BEUREN. There was never any evidence that there was any OSS personnel involved, to my knowledge.

Mr. MORGAN. Have you testified fully this morning, Mr. van Beuren, to your complete knowledge relative to the Amerasia case? Are there any other facts you feel you would like to bring to our attention?

Mr. VAN BEUREN. No, sir. I think I have testified to my full knowledge.

Mr. MORGAN. Mr. van Beuren, I would like to pass now to a situation that becomes pertinent only insofar as there has been an implication that you have been, let us say, "abused" during the course of your interview, or that perhaps members of this staff have engaged in improper conduct incident to an interview of you. In fairness to you I want to say it does not appear, necessarily, that what you may have said or done has been solely responsible for this, but nevertheless, it has been given extensive treatment on the radio, in the press, and it also appears in the Congressional Record.

With that in mind, I do want to ask you a few questions in connection with a telegram which it appears that you sent to Senator Joseph McCarthy on June 2, 1950.

Would you indicate for the committee the circumstances under which you happened to send that wire to Senator McCarthy?

Mr. VAN BEUREN. I sent that wire to Senator McCarthy after I had talked to Mr. Tyler and Mr. Heald, the two gentlemen who are sitting across the table from me.

Mr. MORGAN. On what day was it that you talked with these gentlemen?

Mr. VAN BEUREN. I talked with them on May 23.

Mr. MORGAN. Go ahead.

Mr. VAN BEUREN. We had a very pleasant conversation. There was certainly no abuse of me as a prospective witness, nor any impoliteness, nor any misconduct on the part of either one of these two gentlemen. They asked me to outline the facts to my knowledge, as have been gone over today, which I proceeded to do. They asked me subsequently to that only two questions, both of which dealt with certain aspects of Mr. Bielaski's testimony which recently had been given. I then asked them if I was to be called before the committee. They said that that was not in their jurisdiction to determine, that they made a recommendation to the chairman and he decided, but that on the basis of what they had told me—

Senator McMAHON. What you had told them.

Mr. VAN BEUREN. What I had told them; I beg your pardon—they would recommend that I could add nothing to the facts already before the committee.

I formed the impression that, and it is just purely my personal impression, the matter was being treated lightly.

Mr. MORGAN. Is there anything else that you care to add?

Mr. VAN BEUREN. No, sir.

Mr. MORGAN. How did you happen to send the wire?

Mr. VAN BEUREN. How did I happen to send the wire?

Mr. MORGAN. Yes.

Mr. VAN BEUREN. Well, I had been reading the newspapers, sir, and I knew that Senator McCarthy was very much interested in pressing this investigation.

Mr. MORGAN. Why did you wait from May 23 to June 2, a period of 10 days, before you contacted anyone about your concern relative to the interview?

Mr. VAN BEUREN. Because I wanted to think the matter over, and decide whether I wanted to send the wire or not.

Mr. MORGAN. Was the wire sent by you on the assumption you would not be called as a witness?

Mr. VAN BEUREN. I had had no evidence in those 10 days that I was going to be called.

Mr. MORGAN. Had you had any indication that you would not be called as a witness?

Mr. VAN BEUREN. No, sir, I had not.

Mr. MORGAN. Did Senator McCarthy contact you prior to the time you sent this wire?

Mr. VAN BEUREN. He sent me a wire, yes.

Mr. MORGAN. Do you have a copy of that wire?

Mr. VAN BEUREN. No, sir.

Mr. MORGAN. What did it say?

Mr. VAN BEUREN. He said that he would like to have an expression of my opinion regarding the talk that I had had with Mr. Heald and Mr. Tyler.

Mr. MORGAN. Do you know how he might have known that you had been interviewed by Mr. Heald and Mr. Tyler?

Mr. VAN BEUREN. No, I don't.

Mr. MORGAN. Had you discussed your interview with these gentlemen with anyone connected with Senator McCarthy?

Mr. VAN BEUREN. No.

Mr. MORGAN. Do you feel, Mr. van Beuren, that Senator McCarthy, or that this committee, would have been more interested in information of this character?

Mr. VAN BEUREN. Obviously, sir, this committee is the one that is investigating this affair.

Mr. MORGAN. What I am interested in knowing is why you did not send your wire to the committee if you felt that, or if you had an impression here that, probably indicated the matter was being treated lightly.

Mr. VAN BEUREN. The only fact I had to go on there, sir, was the statement made to me by Mr. Tyler and Mr. Heald, that they would recommend that I not be called.

Mr. MORGAN. You might be interested to know, Mr. van Beuren, that these gentlemen have made no such recommendation. You say they said they would recommend it?

Mr. VAN BEUREN. They told me that that was what they would recommend.

Mr. MORGAN. I should like at this point, Mr. Chairman, for the benefit of Mr. van Beuren—

Senator McMAHON. Before you leave that, have you finished with your examination with regard to what circumstances inclined Mr. van Beuren to send this telegram to McCarthy?

Did you have a conversation subsequent to the time McCarthy wired you with Senator McCarthy on the telephone or otherwise?

Mr. VAN BEUREN. I had a conversation with him on the telephone on the morning on which I sent him the wire.

Senator McMAHON. What was the purpose of that telephone conversation?

Mr. VAN BEUREN. The purport of that telephone conversation was that he asked me whether I had received his wire and was replying to it.

Senator McMAHON. What did you tell him?

Mr. VAN BEUREN. I told him that I had already replied to it.

Senator McMAHON. What else did he say?

Mr. VAN BEUREN. I think he said "Thank you" and that is all, as far as I recall.

Senator McMAHON. He did not ask you what was going to be in the wire?

Mr. VAN BEUREN. No.

Senator TYDINGS. Did he make any suggestions as to what the wire should contain?

Mr. VAN BEUREN. Did Senator McCarthy make any suggestions? No, sir.

Senator TYDINGS. Did anybody—he or anybody talking from his office?

Mr. VAN BEUREN. No, neither he nor anybody.

Senator TYDINGS. He just said, "Are you going to reply to my wire?" and you said "Yes" and he said "Thank you" and hung up?

Mr. VAN BEUREN. That is the substance of it.

Senator TYDINGS. Did anybody come to see you connected with Senator McCarthy's operation?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. Did anybody come to see you connected with this committee other than the two men who are here?

Mr. VAN BEUREN. Yes. I have talked with Mr. Morris.

Senator TYDINGS. That's right. Now what conversation did you and Mr. Morris have together? Give us the full conversation about that matter. Did he help you to get up the telegram?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. Was he there when you sent it?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. How long had he left before you sent it?

Mr. VAN BEUREN. I had not seen Mr. Morris—wait one moment—I saw Mr. Morris in New York on May 17.

Senator TYDINGS. Stop right there. On May 17? Where?

Mr. VAN BEUREN. At the University Club.

Senator TYDINGS. What was the nature of your visit with Mr. Morris about this case?

Mr. VAN BEUREN. It was about this case, yes, sir.

Senator TYDINGS. And what was the subject? What was the general sum of the conversation you had with Mr. Morris?

Mr. VAN BEUREN. In essence, sir, just what we have been talking about today.

Senator TYDINGS. Did he make any suggestions to you as to what you might do?

Mr. VAN BEUREN. No; he did not.

Senator TYDINGS. Did you make any to him?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. What would you talk about, then?

Mr. VAN BEUREN. He asked me to see him.

Senator TYDINGS. Yes?

Mr. VAN BEUREN. And told me he was of counsel for this committee, and he would like to discuss the case with me.

Senator TYDINGS. Did he make any observation as to what you might or might not contribute to the case if you came as a witness?

Mr. VAN BEUREN. I don't honestly recall, sir.

Senator TYDINGS. Did he say that he thought you ought to be called?

Mr. VAN BEUREN. I think he indicated that, yes.

Senator TYDINGS. Did he say what he thought you could testify to if you were called as a result of your talk?

Mr. VAN BEUREN. No. I think that he was principally interested in seeing what I could testify to.

Senator TYDINGS. All right. Let's leave May 17. When did you see Mr. Morris again?

Mr. VAN BEUREN. I talked to him on the telephone over that following week end. May 17 was a Wednesday.

Senator TYDINGS. That's right.

Senator McMAHON. Is that a diary you have in your hand?

Mr. VAN BEUREN. No, sir; it is not a diary. It is a date book.

Senator McMAHON. Have you any notes of your conversations with Mr. Morris?

Mr. VAN BEUREN. No, sir; I have no notes anywhere of my conversations with Mr. Morris.

Senator TYDINGS. Next you say you had a telephone conversation with him over the week end. What was that about? If you had already discussed the case on the 17th, why did he call you? Tell us just what happened in that conversation. What was it about?

Mr. VAN BEUREN. Well, Mr. Morris and General Donovan had had a conversation previous to my conversation with Mr. Morris.

Senator TYDINGS. Were you there?

Mr. VAN BEUREN. No, sir; I was not.

Senator TYDINGS. Who told you that?

Mr. VAN BEUREN. General Donovan.

Senator TYDINGS. All right. Was this before that week end, or after that week end?

Mr. VAN BEUREN. That was before that week end, sir.

Senator TYDINGS. What was the conversation that you and Mr. Morris had on that week end?

Mr. VAN BEUREN. I am doing my best to recollect, Senator.

Senator McMAHON. It is only 10 days ago, or 2 weeks ago.

Senator TYDINGS. You evidently were building up, then, toward the time you felt you might or might not be called in the case. You were thinking about the case, so what was your conversation with Mr. Morris? Certainly if you remember he called you you must have some recollection of what took place in the conversation.

Mr. VAN BEUREN. It dealt, to the best of my recollection, with some questions that Mr. Morris and General Donovan had discussed, to which I had told Mr. Morris in our conversation I would see if I could get an answer.

Senator TYDINGS. Can you recall what they were?

Mr. VAN BEUREN. No, sir; I don't recall what they were.

Senator TYDINGS. Did you ever get an answer?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. Did you ever call him back?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. Did he ever call you back?

Mr. VAN BEUREN. To the best of my knowledge, that is the last talk I have had with him.

Senator TYDINGS. Did you have any communication with him in any other manner, by letter, by telegram, by emissary, or in any other fashion?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. So that he asked you to get some evidence, or answers to certain questions, and you said you would look into it, and there was no further communication from him or to you?

Mr. VAN BEUREN. I told him, of course, in this telephone conversation, that I had no further information.

Senator TYDINGS. When did you see Mr. Morris again, after that week end, the 21st of May week end?

Mr. VAN BEUREN. I have not seen him again since that time.

Senator TYDINGS. Have you communicated with him?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. Have you communicated with him through an emissary or by letter?

Mr. VAN BEUREN. No, sir.

Senator TYDINGS. With whom have you communicated from Washington on this matter?

Mr. VAN BEUREN. I have communicated with Mr. Fred Woltman, of the World-Telegram.

Senator TYDINGS. That's right. With whom else?

Mr. VAN BEUREN. I have already spoken about Senator McCarthy and Mr. Morris.

Senator TYDINGS. Have you visited with Senator McCarthy at any time within the last 3 months, up to the present?

Mr. VAN BEUREN. I have never met him, sir.

Senator TYDINGS. How many times did you talk with him?

Mr. VAN BEUREN. Once.

Senator TYDINGS. And it was a very short conversation?

Mr. VAN BEUREN. That is right.

Senator TYDINGS. You promised you would send him a telegram, did you?

Mr. VAN BEUREN. I did.

Senator TYDINGS. What did he ask you to send in the telegram?

Mr. VAN BEUREN. He asked me to send him a telegram, I have said, giving my reaction to my talk with Mr. Tyler and Mr. Heald, which matter Mr. Woltman and I had already discussed over the telephone.

Senator TYDINGS. Did he say Mr. Woltman had told him?

Mr. VAN BEUREN. He did not.

Senator TYDINGS. I have not read the telegram, either in the press or otherwise, but I know something of its purport, because people have told me generally what is in it. Don't you think you owed it to the committee to give them the information that their employees, in your opinion, were this, that, or the other, rather than to send it to

McCarthy? We have two Republicans on the committee and three Democrats, and we had interviewed everybody and interrogated everybody that had any remote connection with this case as fast as we could get to them.

Mr. VAN BEUREN. Yes, sir.

Senator TYDINGS. What more could we have done?

Mr. VAN BEUREN. I apologize for any rudeness to the committee, sir, which I assure you was unintended.

Senator TYDINGS. I appreciate that, because we want to be fair with you, but you brought obloquy on the committee and a certain amount of calumny on the committee without the committee being in any way responsible or a party to anything that went on, and even so far as I can see nothing improper went on, because when Mr. Bielaski told us his story there was nothing, substantially, that you could add to it. We would be glad to have you, but I ascertain from a general conversation with Mr. Morgan that you knew the names of nobody in the State Department who had taken the documents; you could tell us nothing that would show who took the documents.

What we are really after is to get hold of these very wicked people who either through carelessness or deliberate design siphoned off information from the State Department and other departments that they had no business to do, and if I could get hold of them I would put them all in jail. But we have to have evidence to do it on.

Mr. VAN BEUREN. Yes, sir.

Senator TYDINGS. And I ascertained that you could not give us anything, and you have told us your story, and in substance—it has been of some value; I wouldn't want to say it had no value—it does not put us in a position to follow a lead that will take us anywhere. That is one of our troubles here. We can't get those leads.

Go ahead, Mr. Morgan.

Mr. MORGAN. I would like to ask about this conversation with Mr. Woltman. Tell us about that. What was said during the course of that conversation? Did he bring up the fact that you had been interviewed by representatives on our staff, or did you bring it up?

Mr. VAN BEUREN. I believe I brought it up.

Mr. MORGAN. What did you say? Do you remember?

Mr. VAN BEUREN. I said in effect just what I have said here.

Mr. MORGAN. You brought up, then, to Mr. Woltman the fact that you had been interviewed by these men?

Mr. VAN BEUREN. Yes.

Mr. MORGAN. I would like for you to hear, Mr. van Beuren, on the theory that you may not have heard it, some characterizations of the import of your telegram as they appear in the Congressional Record at page 8114 on June 2, 1950, Senator McCarthy speaking:

Then we find the most fantastic situation conceivable, something unheard of in any Senate or House committee, unheard of even in a kangaroo court. We find that two investigators went up and interviewed Mr. van Beuren and then came back and said, "He will not be called."

I was anxious to know what happened at that meeting, knowing that Mr. van Beuren was the man in charge of the Amerasia case who sent the men out on the raids, the man who had lived and slept with this case for months. I was curious why this man was not called, especially in view of the valuable information he had. So I sent a telegram asking him whether he had been interviewed, whether he had refused to testify, or just generally what the situation was. Let me read his telegram. I think it is important. I have had

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photostat copies made. Photostats are available to any Senators who want them.
Let me read the telegram to the Senate.

Here is your telegram, dated New York City, June 2, 1950:

Senator JOSEPH R. McCARTHY,

Senate Office Building:

Messrs. Tyler and Heald, attorneys for Tydings committee, called on me May 28. I have a strong feeling that they were more interested in my reactions to Mr. Bielaski's testimony than they were in my knowledge of early stages of the Amerasia case. At no time did they ask for my opinion as security officer of OSS of the importance of the documents which I saw. I myself volunteered that I definitely felt their unauthorized possession constituted a threat to national security in time of war. I told them that if the Tydings committee was interested in that I would be glad to testify. I could also confirm and supplement Mr. Bielaski's testimony, as well as testify to the circumstances which led General Donovan to hand over the documents taken from Amerasia's office to the Secretary of State in person. They said that on the basis of what I told them they felt it was not necessary to call me, and they would so recommend. I feel they were primarily interested in getting information from me which would contradict or possibly discredit Mr. Bielaski's testimony rather than information that would further their investigation of the Amerasia case.

I wonder if the attorneys would have urged that I be called had I contradicted Mr. Bielaski.

ARCHIBOLD VAN BEUREN.

Now I would like to know specifically, Mr. van Beuren, the basis for the statement that you felt these gentlemen were primarily interested in getting information from you which would contradict or possibly discredit Mr. Bielaski's testimony.

Mr. VAN BEUREN. The basis, Mr. Morgan, was the fact that the questions that they put to me had to do with two matters in Mr. Bielaski's testimony: One, the matter concerning the A-bomb recommendation; and, second, a question regarding the internationally known figure whose name Mr. Bielaski I believe testified to seeing on certain envelopes and papers in the Amerasia office.

Senator TYDINGS. Only once, on one cover, is my recollection. I could be wrong, but I think that is right.

Mr. VAN BEUREN. Those matters were the ones which were primarily played up by the press and made the headlines. Those were the only two questions of any importance that these gentlemen put to me.

Mr. MORGAN. Would it be of any interest to you to know that these gentlemen had never seen Mr. Bielaski's testimony, had not heard Mr. Bielaski's testimony, and even to this day have not read Mr. Bielaski's testimony?

Senator TYDINGS. They have not read it; they haven't even seen it.

Mr. VAN BEUREN. I jotted down a memorandum at the time. It has been in the newspapers.

Mr. MORGAN. Don't you think that is a rather serious indictment of members of a senatorial investigative staff, to say that they had set out to contradict or discredit testimony of a witness that appeared before the committee?

Mr. VAN BEUREN. As I say, I had that impression, Mr. Morgan.

Senator TYDINGS. Were you willing to broadcast it all over the place just on the grounds of an impression? Don't you think you were a little reckless, to put it very, very mildly, to put yourself in a position of indicting and ruining the reputations of these men and going all around the committee when, if there had been any fraud or attempt to deceive or conceal, would it not have been highly proper to have

brought it to our attention? Then, if we did not take action, you would have been justified in doing something. Instead of that you went right out with a broadsword and slandered everybody, including me. I didn't know about it until I had read it in the papers. How would you like to be put in that situation?

MR. VAN BEUREN. I wouldn't like it at all, sir.

SENATOR TYDINGS. How can one conduct a fair investigation with this sort of misinformation going out to the newspapers all over the country? How can one do it? What man do you know of that we can call to throw any light on this that has not been called? That is all you can do, is to call witnesses and tell them to testify and then interrogate them; isn't it?

MR. VAN BEUREN. May I ask, sir, in that connection, whether this committee has called the former FBI agent who was the so-called reporting officer in this case?

SENATOR TYDINGS. We have had the FBI here on the stand, the men that had charge of the case, all the documents, everything, for days. We have had all the Justice people; we don't run out every day and put a bulletin on the board every 10 minutes. But what more can we do than we have done to make a thorough, complete, examination of this evidence? Will you tell me?

MR. VAN BEUREN. I am sure you have done that, sir.

SENATOR TYDINGS. Then you should immediately correct it. I think you owe it to yourself as an honorable man, and I don't believe you were or are a dishonorable person. I believe you were impelled by some emotion or newspaper prejudice. I think you owe it to us to say that your impression was whatever way you want to say it. It will probably make it worse, but nevertheless I would rather have it worse and have the record show it, because I want a thorough investigation by this committee. I have told everybody here—I want to say this—that I want these agents to go after everything that will bring any real fact to light that is pertinent to this thing, and there is no man in this whole thing that has been cautioned by me to go slow—none of them. I want them to go all the way and get everybody who is connected with this thing if we can find them.

But I want to be sure of my facts before I go out and grab everybody and throw mud all over them, because I could just go out and say, "I believe this fellow van Beuren had something to do with the theft of these documents. He was a security officer, and I believe that they were shown up." I would be just as much within the facts as this telegram was. But I wouldn't do that to you, although I would really have more grounds to do it on than you had to do it to this committee.

SENATOR HICKENLOOPER. Mr. Chairman, may I ask Mr. van Beuren a question?

MR. VAN BEUREN. You were a security officer in OSS; were you not?

MR. VAN BEUREN. Yes, sir.

SENATOR HICKENLOOPER. The United States was at war at the time?

MR. VAN BEUREN. Yes, sir.

SENATOR HICKENLOOPER. You came into direct knowledge that somebody had purloined a large number of highly secret or classified documents in the presence of war when our Nation was in danger?

MR. VAN BEUREN. Yes, sir.

Senator HICKENLOOPER. I would like to ask your opinion. Do you think anybody was prosecuted properly for that treason and traitorism that occurred in the Amerasia case? I am just asking you for your opinion.

Senator McMAHON. Is the gentleman a lawyer?

Senator HICKENLOOPER. He is a security officer.

Senator McMAHON. What difference does that make?

Senator HICKENLOOPER. I am trying to find out whether Mr. van Beuren had some pretty deep-seated feelings of patriotism about what should be done in time of war or in connection with cases where these documents were surreptitiously taken out of their official position.

Senator TYNDINGS. I am not going to object, but I don't think we are really helping ourselves. I abuse it; we all do. I don't believe we are helping ourselves by putting in the record a lot of opinions, because I can give you my own opinion, which was that I think that this is a terrible thing, and I could go on and put in adjectives and everything else, but I don't think that is what we are after. We are after facts; but, if you want to testify, go ahead.

Mr. VAN BEUREN. I would like to say very deeply that I was deeply shocked at the final disposition of the case. I thought that the FBI did an admirable job in apprehending those who were apparently guilty of it, and it was what happened subsequently to that that made me feel as deeply as I do.

I would also like to say that, after talking with you gentlemen and meeting the chairman, Senator Tydings, and hearing him tell me across this table of his deep feelings in the matter, my impression has completely changed.

(Further discussion was off the record.)

Senator McMAHON. I have some questions that I want to ask on the record.

How long have you known Mr. Woltman?

Mr. VAN BEUREN. I have known Mr. Woltman slightly for about 3 months.

Senator McMAHON. You met him in connection with this case?

Mr. VAN BEUREN. I met him in connection with this case.

Senator McMAHON. How many meetings have you had with Mr. Woltman?

Mr. VAN BEUREN. I have never met Mr. Woltman personally. I have talked with him over the telephone.

Senator McMAHON. How long have you known Mr. Morris?

Mr. VAN BEUREN. How long have I known Mr. Morris? The 17th of May was the first time I met him.

Senator McMAHON. Who made the contact between Mr. Morris and yourself?

Mr. VAN BEUREN. General Donovan.

Senator McMAHON. What did the general say when he called you in, that he was an investigator for the Tydings committee?

Mr. VAN BEUREN. What did Mr. Morris say?

Senator McMAHON. No; what did General Donovan say?

Mr. VAN BEUREN. General Donovan said he was one of the counsel for the Tydings committee.

Senator McMAHON. And he appeared and talked with you in that capacity?

MR. VAN BEUREN. He introduced himself as counsel for the Republican minority.

SENATOR McMAHON. That is a matter that I think will have to be taken up with the full committee. We have no counsel for the Republican minority. Mr. Morris is one of the counsel for this committee.

Now, in your conversation with Mr. Morris, you went into every detail of your knowledge of the Amerasia case?

MR. VAN BEUREN. Yes, sir.

SENATOR McMAHON. Did he take notes of that?

MR. VAN BEUREN. No.

SENATOR McMAHON. But you gave him the complete, whole story so far as you remembered it?

MR. VAN BEUREN. Yes, sir; I don't believe as fully as I have given it to you gentlemen today.

SENATOR McMAHON. But no material fact that you gave us was not given to him? You gave him everything that was material?

MR. VAN BEUREN. That's right.

SENATOR McMAHON. And you know that he was counsel—at least, so he said—for the Republican members of this committee?

MR. VAN BEUREN. He said he was counsel for the committee, Senator; yes.

SENATOR McMAHON. Not just the Republican minority?

MR. VAN BEUREN. I wouldn't want to leave the impression that he indicated that he was only for the Republican minority.

SENATOR McMAHON. I see. So you had reason to believe that everything that you said to him was reported officially to the membership of this committee. That is a reasonable assumption; is it not?

MR. VAN BEUREN. I have made no assumption in that regard whatever, Senator, because my first contact with it, with anybody from this committee, was that contact.

SENATOR McMAHON. Mr. van Beuren, you did not refer to the fact that you had had an interview with counsel for this committee before May 23 in your telegram to Senator McCarthy.

MR. VAN BEUREN. That is right.

SENATOR McMAHON. Why did you not refer to that in the telegram? He, too, was an investigator for this committee. That was rather regrettable; was it not?

MR. VAN BEUREN. He made no representation to me, sir, that he was calling on behalf of the committee.

SENATOR McMAHON. Oh; and that is the reason why you did not put it in the telegram. Well now, I thought that a moment ago you said you didn't want to leave the impression that he had represented himself as representing the minority alone, because you understood that he came as representing the committee.

MR. VAN BEUREN. That is correct, sir; yes.

SENATOR McMAHON. You talked with him as a committee investigator?

MR. VAN BEUREN. I didn't talk to him as an investigator, sir. I talked to him at General Donovan's request after he had talked to General Donovan, to go over with him certain of the matters that he and General Donovan had discussed.

SENATOR McMAHON. Yes. But you knew that he was counsel for this committee?

Mr. VAN BEUREN. Yes, sir; that is right.

Senator McMAHON. And you talked with him as counsel for this committee?

Mr. VAN BEUREN. Yes, sir.

Senator McMAHON. That is true?

Mr. VAN BEUREN. Yes.

Senator McMAHON. Now, you didn't see fit to say to Senator McCarthy in your telegram that you had had two interviews with counsel for this committee, did you?

Mr. VAN BEUREN. I did not say it; no.

Senator McMAHON. It might have left a slightly different impression from the one you sought to leave, might it not?

Mr. VAN BEUREN. I would have said so had I thought of it.

Senator McMAHON. Yes. It wasn't suggested that you say it, was it, Mr. van Beuren?

Mr. VAN BEUREN. No, sir.

Senator McMAHON. But it was suggested that you send a telegram concerning your interview with Messrs. Tyler and Heald?

Mr. VAN BEUREN. I have answered that, sir.

Senator McMAHON. I know you have.

You tried to give it a "jet assist," is the way it appears to me—the old rocket take-off.

Have these two gentlemen been sworn?

Mr. MORGAN. Mr. Heald has; Mr. Tyler has not. I would like to request that he be sworn.

Senator McMAHON. Do you solemnly swear that the evidence you give in the matter now in question shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TYLER. I do.

TESTIMONY OF L. L. TYLER, ASSISTANT COUNSEL TO THE SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231

Mr. MORGAN. Will you state your full name, please?

Mr. TYLER. Lyon L. Tyler, Jr.

Mr. MORGAN. What is your present employment?

Mr. TYLER. I am assistant counsel to this subcommittee.

Mr. MORGAN. In the course of your work with this committee have you had occasion to interview Mr. Archbold van Beuren?

Mr. TYLER. I have.

Mr. MORGAN. When was that interview?

Mr. TYLER. May 23, 1950.

Mr. MORGAN. Where?

Mr. TYLER. In Mr. van Beuren's office at 6 East Thirty-ninth Street, New York City.

Mr. MORGAN. As a result of that interview, did you submit a memorandum to me as chief counsel of this committee concerning the information given you and Mr. Heald, who accompanied you, I believe, on this investigation?

Mr. TYLER. Yes, we submitted it.

Mr. MORGAN. Would you read that memorandum into our record at this time, please? What is the date of the memorandum?

Mr. TYLER. It is dated May 25, 1950.

MEMORANDUM FOR THE FILES

Re interview with Archbold van Beuren.

Mr. Tyler and Mr. Head interviewed Mr. van Beuren on Tuesday, May 29, at his office in the Cue Building, 6 East Thirty-ninth Street, New York City. Mr. van Beuren was advised that we desired information as to his knowledge of the Amerasia case upon which the subcommittee could decide whether it would call him as a witness.

Mr. van Beuren gave the following account of his connection with the Amerasia case. Mr. van Beuren stated that he was Chief of the Branch of Security for the Office of Strategic Services at the time that the case broke. To the best of his recollection, around February 27 or 28, 1945, a member of the Research and Analysis Branch of OSS, whose name he can't remember, came to see him. This man had a copy of the magazine, Amerasia, and also a copy of an OSS report in Thailand. This report was restricted but did have a rather extensive circulation among Government offices. The OSS man who was the author of the OSS report had been reading Amerasia as a part of his assignment. He noticed that an article in the magazine was written in the fashion very similar to that of the official report. In some cases the quotations were almost directly lifted and the tenor and recommendations of the report identical. The OSS man advised Mr. van Beuren that whoever wrote the magazine article must have had access to the official report. Mr. van Beuren stated that he knew nothing of the magazine Amerasia, but reported the matter to General Donovan. Mr. van Beuren recalled that there had been a lot of leaks of Government material at that time and therefore General Donovan had become very strict. General Donovan directed van Beuren to initiate an investigation to determine if any OSS documents had come into unauthorized hands. Mr. van Beuren then came to New York around March 1, 1945, and talked to Mr. Bielaski, who was the chief investigator. Mr. Bielaski then went to work on the case, upon which matter he has testified and of which Mr. van Beuren only has second-hand knowledge.

On March 11, 1945, Mr. Bielaski came to Washington early in the morning. He placed on van Beuren's desk some 10 to 15 documents that he had found in the Amerasia office the previous night. Bielaski told van Beuren that he didn't write a report because he was afraid no one would believe him, the affair was so fantastic, but instead brought the documents down personally.

Mr. van Beuren's recollection of the documents is that they varied in number from 10 to 15 and were documents of various classifications. They came from the Navy, State, OSS and Censorship, but all bore a State Department mark which meant that even if the document originated elsewhere, it had been a State Department copy. The matter struck Mr. van Beuren as being extremely important, particularly in view of the large number of additional documents which Mr. Bielaski stated he had found in the Amerasia office. He assured Mr. van Beuren, however, that there were so many that the ones he had taken would not be missed.

SENATOR McMAHON. If there are any points at which you do not agree with any of this statement as it has been written, I wish you would hold up your hand.

MR. VAN BEUREN. I have one that I have noted.

MR. TYLER (reading) :

Mr. van Beuren then called to his office Maj. J. J. Monigan, one of General Donovan's legal assistants. The three of them went over the papers and the facts of the situation and all agreed as to its seriousness. Mr. van Beuren and Major Monigan then went up to see General Donovan and Mr. Bielaski returned to New York. They saw General Donovan that afternoon, gave him the papers and discussed the case in complete detail with him. General Donovan decided to bring the case immediately to Secretary Stettinius' attention and called him to make an appointment. By the time the appointment was made Major Monigan, Mr. van Beuren and General Donovan finally got to the Secretary's apartment about 10:30 p.m.

Mr. van Beuren stated that this was the last that he had anything to do with the affair officially and as far as he knew was also the last of OSS's connection with the affair with the exception that Major Monigan went over to the State Department the next day to discuss the case with their people.

In response to a specific question as to the details of the documents Mr. van Beuren repeated that all that he could remember was that all were classified; all but one dealt with affairs in the Far East; one document (which Mr. van Beuren says he seems to recall) had to do with the German battle order. Mr. van Beuren commented that he had particularly remembered this document because it had been different from all the rest and he wondered why no one else ever mentioned seeing this document. The bulk of the material was of a political and economic nature and did not deal with the conduct of the war.

Mr. Heald asked Mr. van Beuren concerning the recent statements by Bielaski as to the atomic bomb reference, found among the papers. Mr. van Beuren stated that some 2 or 3 years later, but not until after the Hobbs committee investigation, Mr. Bielaski had stated that he often wondered what the document headed "A Bombing Program for Japan" meant and whether the letter "A" had been in quotation marks or not. Mr. van Beuren stated that to the best of his recollection Mr. Bielaski mentioned this document the morning of March 11, 1948.

Mr. Heald also asked Mr. van Beuren about Mr. Bielaski's statement to the press about the unknown person involved in this case. Mr. van Beuren stated he knew to whom Mr. Bielaski was referring and he also knew how he got the information. Mr. Bielaski had originally told him he had seen some names on some manila envelopes in the office of Amerasia and the manila envelopes contained photostats of the Government documents. Mr. van Beuren stated these names were not taken down by him so that they had not been turned over to the State Department. Mr. van Beuren added that no over-all memo was ever prepared in OSS.

ROBERT L. HEALD.

This was written with my concurrence and review.

Senator McMAHON. Mr. van Beuren has, I think, two corrections.

Mr. VAN BEUREN. I have two minor points, two observations. In one of the early paragraphs you report the original report reproduced in Amerasia was classified "secret," not "restricted"; and second, there is a contradiction in your memorandum regarding the "A bomb" question, because in one spot you say that I testified that Mr. Bielaski had talked to me about it after he had testified before the Hobbs committee, and then I think the last sentence was to the effect that I said that he had told me about that on the day of March 11. He did not tell me about it on March 11, as I have said just before.

Mr. TYLER. I was going to say that, as I recall, the forepart of that paragraph is correct, and we could have better said here that Mr. van Beuren, to the best of his recollection, said that there were documents of that type. Do you recall that being our discussion?

Mr. VAN BEUREN. That would be correct, that Mr. Bielaski had reported that there were documents of that type, but not specifically "A bomb." He made no connection then with the A bomb information, is the point.

Mr. HEALD. The language means to say that he first connected the atom bomb after the Hobbs committee, but the document entitled the "A Bomb" was mentioned, but not in connection with the A bomb.

Senator McMAHON. With those two exceptions, is this a correct report of the interview that you had?

Mr. VAN BEUREN. Yes, sir.

Senator McMAHON. Now I am going to put this on the record. Senator Tydings said a lot of what he said off the record. I am not going to make any protestations of what my intentions are with regard to this case. I will let my actions speak for that.

But I, too, resented the slander that you saw fit, and the libel you saw fit, to put on these two gentlemen and upon me as a member of

this committee. In view of that memorandum, and in view of what you have said to Senator Tydings, I am rereading this telegram:

Messrs. Tyler and Hendl, attorneys for Tydings committee, called on me May 23. I have a strong feeling that they were more interested in my reactions to Mr. Bielaski's testimony than they were in my knowledge of early stages of the Amerasia case. At no time did they ask for my opinion as security officer of OSS of the importance of the documents which I saw. I myself volunteered that I definitely felt their unauthorized possession constituted a threat to national security in time of war. I told them that if the Tydings committee was interested in that I would be glad to testify. I could also confirm and supplement Mr. Bielaski's testimony, as well as testify to the circumstances which led General Donovan to hand over the documents taken from Amerasia's office to the Secretary of State in person. They said that on the basis of what I told them they felt it was not necessary to call me and they would so recommend. I feel they were primarily interested in getting information from me which would contradict or possibly discredit Mr. Bielaski's testimony rather than information that would further their investigation of the Amerasia case.

I wonder if the attorneys would have urged that I be called had I contradicted Mr. Bielaski.

Are you now prepared to endorse it?

MR. VAN BEUREN. No, sir. As I previously told Senator Tydings, after appearing before you gentlemen I withdraw any implications of that sort.

SENATOR McMAHON. I want to say to you that I think that is a very forthright and decent thing to do. I honor you for it.

(Discussion was continued off the record.)

MR. MORGAN. May I continue?

MR. TYLER. In the course of the interview with Mr. van Beuren, do you recall having asked him any questions?

MR. TYLER. Yes; and as he told the story, of course, questions were interjected to fill it out and to clarify points, and so forth, so that there were questions throughout the interview, sometimes of a minor type, others to guide the story.

MR. MORGAN. Did you make any observation to Mr. van Beuren concerning whether he would or would not be called as a witness before this committee?

MR. TYLER. He asked if he would be called. We told him that that was up to the subcommittee to make the decision as to whether he would be called as a witness. I have no recollection of having made an observation that he would not be called.

MR. MORGAN. Did you make any recommendation upon your return to Washington that Mr. van Beuren not be called?

MR. TYLER. No; I did not.

MR. MORGAN. Did you do anything by way of characterizing his observations during the interview, apart from submitting this memorandum which you have read this morning?

MR. TYLER. No; I did not.

MR. MORGAN. I would like to ask you, Mr. Tyler, were you at one time associated with the FBI?

MR. TYLER. I was for 13 years.

MR. MORGAN. During the period of your 13 years with the FBI has anyone at any time ever suggested that you endeavor to discredit or contradict the testimony of any witness that might be under consideration incident to the Bureau's work, or in any other connection?

MR. TYLER. No, they haven't.

Mr. MORGAN. This is the first time, is that correct?

Mr. TYLER. That is right. If I understand your question properly, it is, is this the first time I have been, shall I say, charged with having indicated that a witness should be not called or discredited in any way? This is the first time.

Mr. MORGAN. This is the first time! Do you have any other observations you would care to make, Mr. Tyler, concerning your interview with Mr. van Beuren or concerning the discussion here this morning?

Mr. TYLER. Well, I don't think I would. I think that the observations in the memorandum and what is on the record so far speaks for itself.

I might say that in no case, as to any witness that is being considered before this committee, have we been in the habit of making recommendations as to whether they are or are not to be called. We felt that that was a matter of policy for the subcommittee and that we were to write in the facts and lay them before the subcommittee through the counsel, and they would then come to a decision as to who would be called and in what order.

When we talked to Mr. van Beuren, we asked him to give us the whole story, which he did. Our questions were designed only to amplify that story and make it clear to us. We were not familiar, as has been said before, with Mr. Bielaski's testimony, nor any testimony, so far as I am concerned, of any witness in executive session, before today, so absolutely we had, of course, no intention of trying to get Mr. van Beuren to discredit Mr. Bielaski as such. We were interested only in the facts, whether they would corroborate or whether they would not corroborate, any other witnesses.

Mr. MORGAN. Did you regard the matter lightly, Mr. Tyler, at the time you interviewed Mr. van Beuren?

Mr. TYLER. No, I certainly did not, sir.

Mr. MORGAN. Were you under any instruction, or were you impelled in any way, to so disregard it?

Mr. TYLER. No, sir. The only instructions we had on that were that he was a logical person to be interviewed to find out what he knew in the case.

TESTIMONY OF ROBERT L. HEALD, ASSISTANT COUNSEL TO THE SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231

Mr. MORGAN. Mr. Heald, you are also assistant counsel to this committee, is that correct?

Mr. HEALD. That is correct.

Mr. MORGAN. Did you accompany Mr. Tyler to New York City in the course of this interview?

Mr. HEALD. I did.

Mr. MORGAN. You have heard Mr. Tyler's observations concerning the interview. Do you have anything to modify or correct in any manner?

Mr. HEALD. I do have a little more recollection of the conversation. I specifically recall Mr. van Beuren asking us whether he would be called, and Mr. Tyler again pointed out to him that it was a matter for the subcommittee; we had no jurisdiction in that matter, and that the intent of this interview was to report the facts to the subcom-

mitee. I recall Mr. van Beuren stating that the reason he wanted to know was to determine whether he should make any statements to the press, and that if he was to be called he thought it would be more proper not to make any statements.

We were unable to give him any further information, and my recollection is that it was my intention to leave him with the impression that we could not give him any answer as to whether or not he would be called.

Mr. MORGAN. Mr. Heald, you too at one time were associated with the Federal Bureau of Investigation?

Mr. HEALD. I was.

Mr. MORGAN. During the period of your association with the Bureau, have you at any other time had a suggestion that you have endeavored to color testimony in the course of an interview, or to discredit witnesses or similarly to mishandle an interview?

Mr. HEALD. No; I have never been charged with any conduct of that nature.

Mr. MORGAN. Do you have any other observations you would care to make concerning this situation?

Mr. HEALD. I would like to point out that at no time were we advised that Mr. van Beuren had previously been interviewed, and it was our impression that we were getting the initial information for this committee.

Mr. MORGAN. And, on the record, I would like to state now, Mr. van Beuren, in view of this matter and your observation that it may have been regarded "lightly," that I have never seen any report from Mr. Morris submitted to me as chief counsel of this committee concerning the interview with you, so if I may be sarcastic for a moment, if these gentlemen handled it lightly, certainly he handled it in an ephemeral fashion.

That is all I have to say, Mr. Chairman.

Senator McMAHON. I wish, Mr. Counsel, that you would call on Mr. Morris for a report on his interview with Mr. van Beuren.

We are adjourned.

(Whereupon, at 11:55 a. m., the hearing was adjourned, to reconvene on Monday, June 12, 1950, at 2:30 p. m.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, JUNE 12, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met, pursuant to adjournment on Friday, June 9, 1950, in room G-28, United States Capitol, at 2:30 p. m., Senator Theodore Francis Green presiding.

Present: Senators Green, McMahon, and Hickenlooper.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Mr. Robert Morris, assistant counsel of the subcommittee; Mr. O. John Rogge, counsel; and Mr. Herbert J. Fabricant, associate counsel, for Mr. Philip J. Jaffe.

Senator GREEN. Will you stand, please, and hold up your right hand? Do you solemnly swear that the testimony you shall give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JAFFE. I do.

Mr. ROGGE. May I identify myself as counsel for the record, O. John Rogge. I would like to inquire whether under Senate Resolution 180, which provides that each standing committee and each subcommittee of any such committee is authorized to fix a lesser number than one-third of its entire membership who shall constitute a quorum thereof, whether such lesser number has been fixed?

Senator HICKENLOOPER. Mr. Chairman, I suggest that the resolution speaks for itself, and this committee is not called upon to pass on the legality or illegality of the resolution. The resolution will have to stand for itself.

Mr. ROGGE. I am not challenging the validity of this resolution, but the resolution says that each standing committee is authorized to fix a lesser number than one-third of its entire membership who shall constitute a quorum, and I just wondered whether a lesser number had been constituted a quorum in this particular case. I am not challenging the validity of the resolution.

Senator GREEN. For your information, may I say this is not a standing committee. This is a subcommittee of a standing committee.

Mr. ROGGE. That is also included. It says "each standing committee and each subcommittee thereof." I wondered whether a lesser number had been fixed. I think you understand that in the Supreme Court decision in *Bryan v. Fleishman* I should make that inquiry.

Senator GREEN. The standing committee numbered five, and there are three present. Does that answer your question?

Senator HICKENLOOPER. I was not objecting to Mr. Rogge making the point, but I would say I must object, or I would object, to this committee attempting to interpret the terms of any resolution.

Senator GREEN. I am just giving him the facts.

Senator HICKENLOOPER. The resolution will have to speak for itself. He has a right to make an objection on the record.

Senator GREEN. He was asking for information, and I gave it. I hope it was correct.

Mr. ROGGE. Now, I should like to say, beyond that, that in these times of hysteria, and I submit unfounded charges, I have advised my client that except for identifying questions, such as his name and his residence, I felt that I should, and I have, advised him to claim his privilege under the fifth amendment to the Constitution of the United States.

TESTIMONY OF PHILIP JAFFE, NEW YORK CITY

Senator GREEN. Will you give your name?

Mr. JAFFE. Philip Jaffe.

Senator GREEN. What is your address?

Mr. JAFFE. 49 East Ninth Street, New York City.

Senator GREEN. Mr. Morgan?

Mr. MORGAN. What is your present occupation, Mr. Jaffe?

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Would you care to state for our record what the privilege claimed is, with respect to this question?

Mr. JAFFE. The privilege is possible self-incrimination.

Mr. MORGAN. You feel that by indicating your present occupation to this subcommittee you may be thereby incriminating yourself?

Mr. JAFFE. I am not a legal authority and I am following the advice of my counsel in the matter.

Mr. MORGAN. You might consult with your counsel with respect to that particular question, as to whether or not you want to help us that much.

Mr. JAFFE. What was the question, again?

Mr. MORGAN. What is your present occupation?

Mr. JAFFE. I am in the business of manufacturing greeting cards.

Mr. MORGAN. Where?

Mr. JAFFE. In New York City.

Mr. MORGAN. Would you give us the address in New York City, please?

Mr. JAFFE. 225 Fifth Avenue.

Mr. MORGAN. You are also a resident of New York City; is that correct?

Mr. JAFFE. That is right.

Mr. MORGAN. Mr. Jaffe, as a matter of background information, for your possible assistance, this subcommittee of the Senate Foreign Relations Committee has been empowered and authorized to conduct an investigation with respect to whether persons now employed, or past employees of the State Department of the United States, may be disloyal. As a part of that inquiry we have initiated an investi-

gation into a case that is popularly known as the Amerasia case, and I propose at this point to propound certain questions to you with respect to that case, which it is the feeling of the subcommittee I believe has pertinence to the inquiry under the resolution authorizing it to operate as a subcommittee of the Senate Foreign Relations Committee.

Would you indicate for us, please, what your occupation was in March of 1945?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. That again is the feeling that to answer the question might constitute self-incrimination, is that correct?

Mr. JAFFE. Yes, sir.

Mr. MORGAN. Were you at any time an editor of the magazine Amerasia in New York City?

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Were you ever indicted by a Federal grand jury in the District of Columbia, particularly in the year 1945?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Did you enter a plea of "Guilty" to an indictment in the year 1945 in the District of Columbia?

Mr. JAFFE. Similarly, on the advice of counsel, I claim privilege under the fifth amendment.

Mr. MORGAN. Do you know an individual, Mr. Jaffe, by the name of T. A. Bisson?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Do you know an individual named Obaidur Hahman?

Mr. JAFFE. Under the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Do you know an individual named Tung Pi Wu?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Do you know an individual named Chew Sick Hong?

Mr. JAFFE. Under the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Am I to presume that if I were to ask you the names of let us say, a dozen individuals in any category, that would be your same answer, Mr. Jaffe?

Mr. JAFFE. Yes, sir.

Mr. MORGAN. That you would not answer?

Mr. JAFFE. That is right.

Mr. MORGAN. Do you know Irving S. Friedman?

Mr. JAFFE. For the same reason, on the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Do you know Alix Simon Reuther?

Mr. JAFFE. The same answer.

Mr. MORGAN. Philip C. Curtis?

Mr. JAFFE. The same answer.

Mr. MORGAN. Of course, Mr. Chairman, my questions are being addressed to activities of this witness in the year 1945. I respectfully

bring to the chairman's attention the fact that the statute of limitations has manifestly run with respect to the charges that obtained with respect to this witness insofar as the acts committed in 1945 and prior thereto may be concerned. With that in mind, I would like to ask the chairman to direct this witness to answer the questions as they are being propounded, and with that in mind I would like to repeat a few of these questions.

No. 1, Mr. Jaffe, during the year 1945, specifically in March of 1945, what was your occupation?

Mr. ROGUE. Mr. Chairman, may I point out that there are at least two exceptions to the statutory period to which counsel has referred? This occurred in 1945. We were still at war. There is a charge, and as a matter of fact it was stated in the Hobbs report, that there could still be made a charge of espionage, on which in wartime there is no statute of limitations, and there is a further exception to this particular statute, so that the period does not run until the end of hostilities, and the President has not yet declared an end of hostilities, so there are two reasons why the statute of limitations to which counsel refers does not apply.

Mr. MORGAN. In that regard, Mr. Chairman, I would like to suggest and ask the witness if it is not a fair implication, therefrom, that the refusal to answer by reason of that portion of the statute which carries the death penalty may not to this committee constitute at least an inference of guilt within the terms of that provision of the statute. I realize that a jury cannot draw such an inference, but, Mr. Chairman, we are not limited by the terms of the law with respect to inferences which a jury may draw.

Mr. ROGUE. I submit that that is an unfair question to ask a lay witness. Even a lawyer might have difficulty answering it.

Mr. MORGAN. At least for our record, Mr. Chairman, I would like to suggest that the committee might well consider and bear that consideration in mind, that the failure of the witness to answer is predicated on that portion of the statute which presumes that a transmittal of information relative to the national defense to some foreign power, or with reason to believe it may be to the injury of the United States; that he is claiming his privilege on the basis of that portion of the statute.

Senator GREEN. Have you requested the chairman to direct the witness to answer?

Mr. MORGAN. I have. I have requested, Mr. Chairman, that you direct this witness to answer the question as to what his occupation was in March of 1945.

Senator GREEN. I so direct.

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. I would like to ask the witness if, during the year 1945, he was acquainted with one John S. Service.

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Mr. Chairman, I would request that the witness be directed to answer that question.

Senator GREEN. I so direct the witness.

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Did you during the year 1945 know one Kate Mitchell?

Mr. JAFFE. The same answer.

Mr. MORGAN. Mr. Jaffe, if I were to ask you concerning your associations with anyone during the year 1945, would you answer the question?

Mr. JAFFE. I don't think so.

Mr. MORGAN. For the same reason?

Mr. JAFFE. Yes, sir.

Mr. MORGAN. I am wondering, Mr. Chairman, and you may care to put this question to the witness for your own guidance in this matter, whether the witness and his counsel regard the questions that are being asked at this point relevant and pertinent to the inquiry being conducted by this subcommittee.

Senator GREEN. Do you regard these questions as pertinent to the inquiry?

Mr. ROCOE. You are calling now for a legal conclusion as to which on this brief notice I cannot give you an answer one way or the other. I can tell you what my general—

Senator GREEN. Excuse me; you were not asked the question. I asked the witness the question, and you can advise him, if he chooses, and then give his reply.

Mr. JAFFE. I simply state that I am not a legal expert and I would not know how to answer that question.

Mr. MORGAN. Am I to understand, Mr. Jaffe, that incident to the deliberations of this subcommittee you are declining to answer any questions which may be propounded to you apart from the statement of your name, your present address, and your present occupation? Is that correct?

Mr. JAFFE. That is true.

Mr. MORGAN. In this regard, Mr. Chairman, I would like to call attention to the witness and read at this point in the record the provisions of 62 Statutes 833, which is, of course, 180 United States Code 3486:

No testimony given by a witness before either House or before any committee of either House or before any joint committee established by joint or concurrent resolution of the two Houses of Congress shall be used as evidence in any criminal proceeding against him in court, except in a prosecution for perjury committed in giving such testimony, but an official paper or record produced by him is not within the said privilege.

Now, I am asking you, Mr. Jaffe, and of course you may consult with your counsel, as to whether you are refusing to answer these questions in the light of and with knowledge of this provision of the Federal statutes.

Mr. ROCOE. This is a legal question, and I will be very happy to answer it. I would simply have to tell him, and I don't think he would get the answer right. I can tell you what my own researches show, if the committee would like to hear it.

Senator GREEN. We would rather have you answer through the witness.

Senator McMAHON. Suppose we have him state it, Mr. Chairman, and he can adopt it or disavow it.

Senator GREEN. You may take that procedure, if you wish.

Mr. ROCOE. This section which you have read is not a complete immunity statute. If it were, it would be another matter. All that this

statute provides is that this man's answers given before this committee may no be used in court. It does not mean that leads or other testimony of other people may not be used. We have examined into this question. This statute is not a complete immunity statute, and would not protect this man, and for that reason I can say to this committee that we have taken this statute into consideration in reaching our conclusion.

Mr. JAFFE. I would accept my counsel's statement.

Senator McMAHON. You adopt that statement as your own?

Mr. JAFFE. Yes, sir.

Senator McMAHON. May we have a conference?

(The committee and committee counsel retired from the hearing room.)

Mr. MORGAN. Mr. Jaffe, have you ever been known by any other name than Philip J. Jaffe?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Senator McMAHON. I ask Mr. Rogge, as his counsel, whether he believes, and was so advising him, that that question, if answered, would be self-incriminatory, or tending to be self-incriminatory.

Mr. ROGGE. In normal times it would be one thing, but in these times, with a grand jury that they call a runaway grand jury in New York, I feel, and I would like to also add another comment to, that I would like to make clear: The committee counsel asked whether Mr. Jaffe would refuse to answer all questions except identifying questions. That is correct, but within this framework. I think that anything the committee is authorized to inquire about is in an area, aside from identification, in which Mr. Jaffe should claim this privilege. If this committee, for instance, were to go beyond the Amerasia case into other matters, Mr. Jaffe would probably answer them, but anything in any way connected with the Amerasia case, or what this committee is investigating, and even, yes, whether he has used other names, in my opinion, and I have gone over this very carefully, I think in these times he should claim his privilege under self-incrimination; yes.

Senator McMAHON. Do you adopt that?

Mr. JAFFE. Yes; I do.

Senator McMAHON. In toto?

Mr. JAFFE. In toto.

Mr. MORGAN. Mr. Jaffe, during the year 1944 was the publication Amerasia a corporation or a proprietorship or a partnership?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. ROGGE. Here again, if I may, I have, since this is on the topic in which I did wish to submit a couple of documents, there were charges that Amerasia was a corporation in 1945 or 1946, whatever the time was. I can to this committee, and I have documentary evidence here, that it passed to private ownership as of January 1, 1944, and I have here an issue for October 20, 1944, which shows that it is in private ownership; I have an issue for the preceding year which shows that it is Amerasia, Inc.

So that although the witness will give the same answer, since I had these two documents, which I wanted to leave with the committee, I will be very happy to supply them on that question.

Senator HICKENLOOPER. I would like to ask whether counsel on behalf of Mr. Jaffe submits these two documents as part of the testimony of Mr. Jaffe.

Mr. ROGGE. No. I simply brought these along because the charge was made, and I was going to hand them informally to the chairman. Since the question was asked, I present them. I do that informally.

Senator GREEN. You can't do anything here informally today. You either present them formally or not at all.

Mr. ROGGE. Then I shall take them back.

Senator McMAHON. I would like to make a note of this.

Mr. MORGAN. Now, Mr. Jaffe, I intend to ask you a series of questions here with respect to individuals whose identities have distinct pertinence to the investigation presently being conducted by this subcommittee. They may or may not have a relationship to the so-called Amerasia case. I will ask you with respect to a few of them. I am going to ask you with respect to some others in addition to those concerning whom I have already asked you.

Do you know Alvin Barber?

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Do you know Joseph Bernstein?

Mr. JAFFE. The same answer. Can I say "the same answer"?

Mr. MORGAN. Yes.

Do you know Chao Ting Chi?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you have a cousin who is the wife of Chao Ting Chi?

Mr. JAFFE. The same answer.

Mr. MORGAN. Is it your feeling that to answer that question would incriminate you, Mr. Jaffe?

Mr. JAFFE. As I said before, I am not a legal authority, but on the advice of counsel I am giving the same answer to all questions.

Senator GREEN. Do I understand you to say that on the advice of counsel you refuse to answer any other questions than those you have already answered?

Mr. JAFFE. No; I wouldn't know how to answer that. May I consult my counsel?

I can't tell until the question is asked, but on anything that relates to the subject under discussion I must claim my privilege under the fifth amendment.

Mr. MORGAN. You appreciate, Mr. Jaffe, I assume, that the scope of the inquiry of this subcommittee extends far behind the Amerasia case. Some of the questions that I may be asking you may have pertinence wholly unrelated to the Amerasia case.

Mr. JAFFE. I am not enough of a lawyer—in fact, I am not a lawyer; I wouldn't know enough about that. On the advice of my counsel I have been answering all of the questions taking my privilege under the fifth amendment, after I have seen what the questions were.

Senator GREEN. Do you take the position that your answers to all the questions so far have been on the basis that they are connected with the Amerasia case?

Mr. JAFFE. I believe on the advice of counsel I would have to claim my privilege under the fifth amendment.

Senator GREEN. That they all relate to the Amerasia case?

Mr. JAFFE. No. I don't answer the question.

Senator GREEN. You don't answer that question?

Mr. JAFFE. No, by claiming my privilege under the fifth amendment.

Senator GREEN. My question was whether your answers were based on the fact that these related to the Amerasia case. You certainly can answer that.

Mr. JAFFE. My answers to the questions are based on my claiming privilege under the fifth amendment.

Senator GREEN. But your counsel has made a speech in which he stated that you would not answer them if they related to the Amerasia case, that you might be willing to answer questions that did not relate to that case.

Mr. JAFFE. I don't remember that.

Mr. ROGGE. I did say I didn't want us to be understood here as refusing to answer all except identifying questions. I also said if I understood the purpose of this committee, I did not think there were any questions—I mean I couldn't conceive of any questions—that could be asked Mr. Jaffe as to which he wouldn't claim his privilege. I don't know. This committee may have a purpose far beyond what I understand it, and if there are questions that have no relation in any way to—I can't base it on the Amerasia case, really, Mr. Chairman. I know that we are down here from statements in the press that relate to the Amerasia case, but the real claim here is the claim of privilege under the fifth amendment. That is what it is based on. I am not going to say there aren't other questions that this committee might ask him as to which he would give an answer. I don't know. But certainly I can say to you that up to this point his refusals have been based on his claiming privilege under the fifth amendment. There may be questions as to which he won't assert it. I don't know.

Senator GREEN. Not only under the fifth amendment, but because of relation to the Amerasia case, so far. Is that what you mean to say?

Mr. ROGGE. Frankly, Mr. Chairman, I can't tell whether all the questions and all the names, and I don't think I should be asked and I don't think my client should be asked, whether they all relate to Amerasia. I think it is enough if Mr. Jaffe feels these particular questions, in his judgment, would tend to incriminate him. There are some of these names that are wholly foreign to me. I don't think I should be asked, I don't think he should be asked, "Are you basing your claim because that relates to the Amerasia case?"

The question is, "Are you basing your claim to privilege under the fifth amendment?" and your answer to that question is "Yes."

Senator GREEN. His answer in every case was under the advice of counsel, and that means on your advice. I don't see how you can claim that you may not agree with him.

Mr. ROGGE. Up to this point he has followed my advice. That is correct. I don't think he should be asked to answer, "Is it because it relates to the Amerasia case?" He and I have discussed the factual situation. We have discussed the law, and I have said that any questions in this area, I have advised him in these times, to claim his privilege. I am not going to say that there aren't questions—possibly, Mr. Counsel, if you even were to ask him, "What is your education?" I would tell him "Go ahead and answer that." There may be still other

questions you would ask him. I would say "Go ahead and answer that." Certainly where they relate to this area into which the committee is inquiring I shall advise him to claim his privilege under the fifth amendment.

Senator HICKENLOOPER. I would like, Mr. Chairman, then, to ask, What is your education, Mr. Jaffe? What schools have you attended?

Mr. JAFFE. I have gone through the public-school system of the city of New York, and I finally attained my bachelor-of-arts degree from Columbia College, and my master-of-arts degree from Columbia University.

Mr. MORGAN. Have you ever gone to any schools sponsored by the Communist Party for the purpose of training in Communist doctrine or Communist economic affairs, at any place?

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Mr. Chairman, in view of the statement of counsel that he would direct and advise the witness to answer questions about his education, I would ask that the chairman direct him to answer my last question.

Senator GREEN. I direct the witness to answer the question.

Mr. JAFFE. I must answer the same way, that I claim my privilege under the fifth amendment.

Senator HICKENLOOPER. By refusal to answer the question, is that correct?

Mr. JAFFE. Yes, sir.

Mr. MORGAN. It is your understanding, Mr. Jaffe, that to answer that question as to whether or not you had attended a school would be designed to incriminate you?

Mr. JAFFE. I am not a sufficient lawyer to answer the technical legal questions.

Mr. ROGGE. I can make a statement and the committee can then, pursuant to the procedure that Senator McMahon suggested, ask him, and he can say whether he adopts it.

In these times, and this happens to be in view of the Foley Square trial, which in my opinion will be affirmed, the teaching or the advocacy, and maybe even the attendance of classes taught by Communists, in my opinion will become a crime in this country, or are a crime today, if the Foley Square verdict is affirmed, and in my opinion it will be, so my advice on this question, too, is that under the fifth amendment he should claim his privilege.

Senator McMAHON. Do you adopt that answer?

Mr. JAFFE. Yes, sir.

Senator McMAHON. Without reservation?

Mr. JAFFE. Yes, sir.

Mr. MORGAN. Do you know Philip C. Curtis, Mr. Jaffe?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Frederick Vanderbilt Field?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know John Thomas Find?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Irving S. Friedman?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Julian Richard Friedman?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Mr. Rogge?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Donald Porter Geddes?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Randall Gould?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Michael Greenburg?

Mr. JAFFE. I want to go back to the question on Mr. Rogge, and say I do know Mr. Rogge.

Mr. MORGAN. Do you know Michael Greenburg?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Do you know Owen Lattimore?

Mr. JAFFE. The same answer.

Mr. MORGAN. You refuse to answer that question on the ground that it might incriminate you to admit acquaintance with Owen Lattimore?

Mr. JAFFE. Yes.

Mr. MORGAN. Do you know Emmanuel S. Larsen?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Y. Y. Hsu?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Howard Selsam?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Howard Selsam?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Paul Salter?

Mr. JAFFE. The same answer.

Mr. MORGAN. Do you know Charles Nelson Spinks?

Mr. JAFFE. The same answer.

Mr. MORGAN. Mr. Jaffe, have you ever at any time traveled to China?

Mr. JAFFE. The same answer.

Mr. MORGAN. What is that answer?

Mr. JAFFE. On the advice of counsel, I claim my privilege under the fifth amendment.

Mr. MORGAN. Have you ever traveled abroad at all?

Mr. JAFFE. The same answer.

Mr. MORGAN. Mr. Chairman, it is obvious to me that the witness does not intend to answer any questions of pertinence to this inquiry today. As a matter of fact, he declines to answer a great many questions which may or may not be pertinent to this inquiry today. I may say, however, that in my opinion, and I think our record will reveal, that all of the questions that have been asked do have a degree of pertinence in one way or another to this proceeding today. It is also manifest to me that if witnesses appearing before congressional committees are permitted this blanket refusal to testify that congressional hearings may as well cease.

Bearing that in mind, with the committee's indulgence I would request that I be privileged to submit a report recommending a citation of contempt against Philip Jaffe for his refusal to answer questions properly within the province of the inquiry of this subcommittee.

Senator GREEN. I think we had better have a meeting of the members of the committee. We will withdraw for a few minutes.

Senator HICKENLOOPER. Mr. Chairman, may I ask counsel if it is necessary for this matter to be decided precipitously at this moment? Is there any particular technical reason? If there is, you don't need to give it now. If there is any reason why, I will be glad to take it up. Otherwise, I think it is a matter for proper consideration.

Mr. MORGAN. It is my understanding that we can proceed in one of two ways. We can either request that the contempt be handled at this particular moment, or we can take it under advisement and refer it to appropriate authorities in the district attorney's office here in the District of Columbia. I believe the latter procedure is the one normally followed, and it would be the one that I would personally recommend to the committee.

Senator HICKENLOOPER. I have no reason for not discussing it, but I would like to get a little advice myself on the matter.

Senator GREEN. I suggest we have this discussion in the adjoining room. Would you come, Senator, and Mr. Morris?

(Members of the subcommittee and counsel retired from the hearing room.)

Mr. MORGAN. I have just one final question I would like to ask Mr. Jaffe for our possible assistance. Do you own any property in the State of Connecticut, Mr. Jaffe?

Mr. JAFFE. Yes; I own property in the State of Connecticut.

Mr. MORGAN. Where?

Mr. JAFFE. Stamford, Conn.

Mr. MORGAN. What type of property is this?

Mr. JAFFE. A home.

Mr. MORGAN. Is that your residence?

Mr. JAFFE. No; it is not my official residence. I vote in New York City. I am an official resident of New York City.

Mr. MORGAN. Having declined to answer a great many questions along the way, Mr. Jaffe, I, of course, feel that I anticipate the answer to this one, but I nevertheless intend to ask it: Are you now, or have you ever been, a member of the Communist Party?

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Mr. MORGAN. Is it your understanding, Mr. Jaffe, that it is a violation of the law to be a member of the Communist Party?

Mr. JAFFE. I don't know how to answer that question. I am no lawyer.

Mr. ROGGE. I would be very happy to state, pursuant to Senator McMahon's suggestion previously, and to see whether he will adopt my statement; I don't know.

Under my opinion, if the Foley Square verdict is affirmed, and I think it will be, I think that to be a Communist will be illegal in the United States. That is my opinion of the length to which that decision carries us on the road to an authoritarian system over here, and therefore I would advise him to refuse to answer, as he has done, on the basis of the fifth amendment.

Senator McMAHON. Do you adopt that statement?

Mr. JAFFE. Yes; I adopt that statement.

Mr. MORGAN. Is it your understanding, Mr. Jaffe, and, of course, you have the privilege to confer with your counsel, that the Foley

Square proceedings, to which reference has been made, relate to mere membership in the Communist Party?

Mr. JAFFE. I don't know anything about that. I really don't. I have no opinions on it.

Mr. MORGAN. In claiming your privilege against self-incrimination, are you claiming that on the theory that your refusal to answer, or the answers you might give, would incriminate you under existing law?

Mr. JAFFE. I claim my privilege under the fifth amendment not to reply to that question.

Mr. MORGAN. I repeat my question again. Is it your understanding that the Foley Square proceedings related to individuals who were members in the Communist Party, or to those who were advocating violent overthrow of Government?

Mr. JAFFE. I don't know the legal aspect of that question, and I can't answer it.

Mr. MORGAN. Would you care to explain, therefore, for the chairman of this committee, wherein you feel that it might incriminate you to answer the question, if you do not know?

Mr. JAFFE. May I consult with counsel?

Mr. MORGAN. Certainly.

Mr. ROGGE. Again I would like, under the procedure that Senator McMahon has suggested, to say it is true that section 10 of the Smith Act makes a crime out of the advocacy of the overthrow of the Government by force and violence, but the Government has contended in the Foley Square case that Communists advocate the overthrow of the Government by force and violence and has gotten a conviction which, as I have said, in my opinion will be affirmed, with the result that anybody who belongs to the Communist Party belongs to a group which, according to the Government, advocates the overthrow of the Government by force and violence, and I think membership alone might very possibly subject them, and probably will subject many, to prosecution under the same section, if that decision is affirmed.

Mr. MORGAN. Mr. Chairman, I would request that the committee take official cognizance of the fact that section 10 of title 18 of our code, which is the Smith Act, provides no sanctions, no penalties, to mere membership in the Communist Party.

I would also like the reporter at this point to note on the record that throughout these proceedings there have been present Senators Green, McMahon, and Hickenlooper, in addition to which also present are Mr. Morris, assistant counsel to the committee, Mr. Jaffe, Mr. Rogge, and Mr. Fabricant, in addition to the speaker.

I would also, Mr. Chairman, like to repeat my request as chief counsel of this committee to make a study of this matter, and submit an appropriate report to the subcommittee relative to the possibility of Mr. Jaffe's being in contempt by reason of his utter failure to answer questions regarded as relevant to our proceeding.

Senator GREEN. Senator Hickenlooper, have you any questions or remarks to make?

Senator HICKENLOOPER. I have no objections to the request.

Senator McMAHON. Counsel has made a proper request, I think.

Senator HICKENLOOPER. I would like to ask one question.

Mr. Jaffe, have you ever gone under the name of John Philip or Philips?

Mr. JAFFE. Under the advice of counsel, I claim privilege under the fifth amendment.

Senator HICKENLOOPER. Have you ever written any articles under the name of John Philip or Philips? Or under a name in which both the words "John" and "Philip" or "Philips" have been combined with others?

Mr. JAFFE. The same answer.

Senator HICKENLOOPER. Have you ever made any speeches or addresses to any groups of people under any such name, a name similar to that, or using the exact surname or Christian name such as I mentioned in the last question, in the past?

Mr. JAFFE. The same answer.

Senator HICKENLOOPER. What is the address of your house in Stamford?

Mr. JAFFE. It is Erskine Road. There is no other address.

Senator HICKENLOOPER. When did you acquire that property?

Mr. JAFFE. A little over 2 years ago.

Senator HICKENLOOPER. Had you leased it or lived there prior to acquiring the property as your property?

Mr. JAFFE. No, sir.

Senator HICKENLOOPER. Do you own any real estate in any other States, Mr. Jaffee?

Mr. JAFFE. No, sir.

Senator HICKENLOOPER. What is your public registration as to political party affiliation in New York?

Mr. JAFFE. May I consult counsel on that?

Mr. MORGAN. Yes.

Mr. JAFFE. In the last election I registered for the Democratic Party and voted for Truman.

Senator HICKENLOOPER. I did not intend to ask whom you voted for. I am not interesting in delving into the secrecy of your ballot in the booth. But you registered as a Democrat last time?

Mr. JAFFE. Yes, sir.

Senator HICKENLOOPER. In the election before, what was your public registration as to party affiliation?

Mr. JAFFE. May I consult my counsel?

Senator HICKENLOOPER. Yes, sir.

Mr. JAFFE. My memory isn't clear on that. I registered perhaps once or twice in the past four or five elections in the American Labor Party and voted for President Roosevelt. I don't recall exactly whether it was once or twice.

Senator HICKENLOOPER. Have you at any time publicly registered as a member of any other political party or party that was carried as a political party on the political tickets of New York or anywhere else?

Mr. JAFFE. May I consult counsel?

Senator HICKENLOOPER. Yes.

Mr. JAFFE. I don't remember, but I don't think so.

Senator HICKENLOOPER. Have you ever publicly registered on the public record at any time or in any place as a member of the Communist Party, or any party that had within its name the word "Communist" as a political party, carried as a public political party?

Mr. JAFFE. May I consult my counsel?

Senator HICKENLOOPER. Yes. That is at any time or in any place.

Mr. JAFFE. The question, Senator, is so broad—any public place—however you put it.

Senator HICKENLOOPER. Any registration that is a public registration, a document open to the public.

Mr. JAFFE. The question is so broad I must claim my privilege under the fifth amendment.

Senator HICKENLOOPER. Mr. Chairman, I want to emphasize to you and to the committee I am asking for no secret actions on the part of this witness. I am asking for any registration which he may have at any time in the past put on a public record, which is public, as to whether or not he has at any time registered as a member, on a public record, of either the Communist Party or any party that had within its name the word "Communist."

Mr. ROGGE. Even if he says he doesn't remember, in these days of unfounded charges I don't know whether a perjury indictment might not result, when they come forward with witnesses like Budenz. In the circumstances, on this question I advise my client to claim his privilege under the fifth amendment, in view of the broadness of the question, "any public record."

Senator HICKENLOOPER. Do you adopt that answer, Mr. Jaffe? Do you adopt the statement of counsel?

Mr. JAFFE. On the advice of counsel I claim my privilege under the fifth amendment.

Senator HICKENLOOPER. I may just observe for the record that in response to counsel's statement about Budenz, I believe proof of public records is by public officials rather than by nonpublic witnesses, as a rule, and I am confining my questioning to public records or public registration that is open to the public, and that is subject to proof by competent public officials in charge of those records.

Mr. ROGGE. Yes, but I don't know but what this man's name hasn't been signed some place, and we then get into a question of whether it is his signature or not, and it is my opinion in these times the Government gets witnesses to testify to many things that I think are questionable, and I can only protect this man by advising him to claim his privilege on a question that is as broad as that.

Senator HICKENLOOPER. Mr. Chairman, I think for the record I would like to submit to you and to the committee a request that in view of the nature of the question which I am inquiring, and again calling attention to the fact that I am confining it to a public record, that the chairman direct the witness to answer the question.

Senator GREEN. You might add to the reasoning—

Senator HICKENLOOPER. I don't want to add too much to the reasoning, at the moment.

Senator GREEN. The fact that he has already answered the question as to another political party.

Senator HICKENLOOPER. That appears in the record, and I thank the chairman for calling it to my attention.

Senator GREEN. In view of those facts, I direct you to answer the question.

Mr. JAFFE. The question is so broad that I am obliged to answer that I don't remember.

Senator HICKENLOOPER. Would you recall it, Mr. Jaffe, if you had actually so registered with such a party?

Mr. JAFFE. I have given the best answer I know how.

Senator HICKENLOOPER. I think that is all, Mr. Chairman.

Senator GREEN. Senator McMahon, have you any questions?

Senator McMAHON. No question. I don't think there is much profit in asking them.

Senator GREEN. I think it is the opinion of the committee that it is futile to continue this hearing, and therefore I will declare it concluded. The committee will take such action as it decides is best after you have left.

Mr. Rogge. We are excused?

Senator GREEN. Temporarily. You may be recalled.

Mr. Rogge. Yes; but I understand we are excused, and unless we are subpoenaed again, we wait for another subpoena. We live in New York.

Senator HICKENLOOPER. I would suggest, Mr. Chairman, that rather than leaving it to the issuance of another subpoena, that the Chair declare that the witnesses are excused for this time, but they are subject to call under the same subpoena at another time.

Mr. Rogge. A telephone call and we can be here.

Senator HICKENLOOPER. I think the committee will not be unreasonable about that.

Mr. Rogge. We are free to leave now and go back to New York, subject to being recalled by the committee?

Senator HICKENLOOPER. I want to make this clear on the record, that it is my thought, in making the suggestion, that a notice or a request, a telephone call or otherwise, to Mr. Jaffe or his counsel, could not be refused on the basis that no subpoena accompanied it or was served, that Mr. Jaffe is still under the compulsion of a subpoena. Let us have that understood.

Mr. Rogge. That is agreeable to me.

Senator GREEN. They are excused, subject to being recalled on reasonable notice.

Senator HICKENLOOPER. At such time and place as this committee may desire.

(Whereupon, at 3:50 p. m., the hearing was adjourned, to reconvene upon the call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, JUNE 21, 1950

EXECUTIVE SESSION

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, pursuant to the call of the Chair, in room G-23, United States Capitol, at 10 a. m., Senator Millard E. Tydings, chairman of the subcommittee, presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Mr. Robert Morris, assistant counsel of the subcommittee; Hon. John E. Peurifoy, Assistant Secretary of State, and Mr. Samuel D. Boykin, Director of the Office of Consular Affairs of the State Department.

Senator TYDINGS. The meeting will please come to order.

Mr. PEURIFOY. I would like to be sworn.

Senator TYDINGS. Haven't you been sworn?

Mr. PEURIFOY. No, sir; I want to be sworn.

Senator TYDINGS. Stand please, and hold up your right hand.

Do you solemnly swear that the testimony you shall give at this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PEURIFOY. I do, so help me God.

STATEMENT OF HON. JOHN E. PEURIFOY, DEPUTY UNDER SECRETARY OF STATE, IN CHARGE OF ADMINISTRATION

Senator TYDINGS. State your full name.

Mr. PEURIFOY. John E. Peurifoy.

Senator TYDINGS. Please state your residence.

Mr. PEURIFOY. Arlington, Va.

Senator TYDINGS. What is your address?

Mr. PEURIFOY. 3425 North Albemarle Street.

Senator TYDINGS. What is your present occupation?

Mr. PEURIFOY. Deputy Under Secretary of State in Charge of Administration.

Senator TYDINGS. All right. Go ahead.

Mr. MORGAN. Mr. Peurifoy, you are appearing here today at your own request, as I understand.

Mr. PEURIFOY. That is right, Mr. Morgan.

Mr. MORGAN. Would you care to indicate at the very outset, Mr. Peurifoy, the circumstances which occasioned your request to appear here this morning?

Mr. PEURIFOY. Yes, sir; I have no prepared statement on this. The reason, Mr. Chairman, was that I was charged last week in a speech in New London, Conn., of engaging in a pay-off, attempting apparently to influence a Mr. Larsen in his testimony concerning John S. Service.

It was also indicated that I offered him free legal advice. The pay-off was the free legal advice, I take it. I have not seen the transcript nor have I read his speech in full; and the other was that I had given him security clearance in the Government for a job.

My reply to that is that that accusation is absolutely false; that I do not have much in this world but my name, and I resent it very deeply.

In the first place, Mr. Larson called me.

Senator TYDINGS. Did you call him and arrange for this conference?

Mr. PEURIFOY. He called me. I did not speak to Mr. Larson, and he asked if he could see me. He came to my office on March 20.

I had invited into my office when Mr. Larsen came for observation one of my assistants, Mr. B. O'Neal Bryan, and he sat during the whole conference with Mr. Larsen.

Mr. Larsen came in.

Senator LODGE. What was the date of this?

Mr. PEURIFOY. March 20.

Senator LODGE. He requested the appointment?

Mr. PEURIFOY. Yes, sir.

He started out by saying the reason for it was he wanted to tell me of a meeting he had had on Saturday. He said he had been called to Senator McCarthy's office. He implied and indicated that Senator McCarthy had talked to him awhile and turned him over to a man by the name of Supreme. I do not know him.

He told me that Senator McCarthy had indicated that if he would testify favorably for Senator McCarthy, in other words against Mr. John S. Service that he, Senator McCarthy, would not include Mr. Larsen in his list of 81 names which he was going to give to the Senate. He also told me what he knew and he also told Mr. Bryan what he knew of the Amerasia case. I made no comment. I listened.

At the end of the conversation I said, "If you have any information which you wish to give to this Department on the case I suggest that you might go and talk to Mr. Fisher."

Senator TYDINGS. Who is Mr. Fisher?

Mr. PEURIFOY. Mr. Fisher is the legal adviser of the Department. In other words I wanted Mr. Larsen to give his story of whatever he had to tell about Amerasia to Mr. Fisher. I was not sending him to Mr. Fisher for legal advice and I did not expect Mr. Fisher to give him legal advice. I haven't sent any employee of the Department to Mr. Fisher for legal advice, and certainly I would not send an outsider who I did not know except by telephone.

Senator LODGE. Had you ever seen Mr. Larsen before?

Mr. PEURIFOY. No, sir; I don't recall; this was the first visit.

Senator LODGE. You did not know him before?

Mr. PEURIFOY. No; I only talked to him by telephone.
Senator TYDINGOS. Why did you send him to Mr. Fisher?

Mr. PEURIFOY. I had asked Mr. Fisher to look into the Amerasia case for the Department and so I said, "If you have any information, I would like to have you give it to the legal adviser of the Department."

Senator TYDINGOS. Yes.

Mr. PEURIFOY. He then asked me if I would accept a memorandum from him. I said, "Yes, bring it in." Later that day he brought a memorandum in the Department and gave it to Mr. Bryan, special assistant of the Department. He did not hand it to me. I took the original of that memorandum and kept it for the file and when the Loyalty Review Board took jurisdiction in the Service case I sent the memorandum to the Loyalty Review Board without any comment whatsoever.

Senator HICKENLOOPER. Mr. Chairman, what is Mr. Peurifoy talking about?

Senator TYDINGOS. He is answering the charge of Senator McCarthy that he did something improper. He is now talking about his conversation with Mr. Larsen in the State Department.

Senator LODGE. I understood you to say, Mr. Peurifoy, that before March 20 you had one conversation with Mr. Larsen on the telephone?

Mr. PEURIFOY. In person I have had one conversation when he came to my office on March 20.

Senator LODGE. Yes.

Mr. PEURIFOY. And he called on April 4 to inquire as to whether or not Mr. Peurifoy received the memorandum he left with Mr. Bryan, the material "To whom it may concern," and I told him over the telephone "Yes."

Then on April 11 Mr. Larsen called, to leave a message for me which I have a record of, if you are interested in it, although I don't think it pertains to this case. However, if anyone wants to see it I have the memorandum here.

Prior to that, Senator Lodge, I do not recollect having met Mr. Larsen.

Senator LODGE. Before the 20th of March?

Mr. PEURIFOY. That is right.

Senator LODGE. You don't recall having any previous conversation with him?

Mr. PEURIFOY. Yes, I do, maybe a year or two ago, this man called me.

Senator TYDINGOS. Who, Larsen?

Mr. PEURIFOY. Yes, sir; Mr. Larsen called me and asked me about his record in the Department, that he was seeking a Government job. He wanted to know whether he was clear security wise, et cetera.

Senator LODGE. Was that the first conversation you ever had with him?

Mr. PEURIFOY. Yes, sir.

Senator LODGE. And it was by telephone?

Mr. PEURIFOY. Telephone.

Senator LODGE. And this was approximately what date?

Mr. PEURIFOY. It might have been a year and a half or two years ago. I have no record on it, I just remember.

Senator LODGE. Did you remember him when he called up?

Mr. PEURIFOY. I did.

Senator LODGE. Did he call before?

Mr. PEURIFOY. A Member of Congress called me and asked me if I would look into Mr. Larsen's record, that he knew Mr. Larsen and wanted to know if the Department had anything in its record other than the plea of nolle contendere in the Amerasia case. I looked into the Department record and that is all there was on his record.

Senator LODGE. So it was called to your attention by a Member of Congress a year and a half or two years ago?

Mr. PEURIFOY. That is right.

Senator LODGE. That is the first time you became aware of his existence, is that right?

Mr. PEURIFOY. As far as I am conscious; I may have read when they arrested these people, but it was the first time it came to my attention.

Senator LODGE. So you became aware of this man long after his connection with the State Department had been settled, is that correct?

Mr. PEURIFOY. That is correct, sir, and I assume as a result of my conversation with the Congressman subsequently he did call me about that time and he said he appreciated what I said. I did not say anything that I would not say anywhere else. I told him what the record indicated which was it showed that Larsen had resigned in late 1945. There was a notation in the file of course abo 't his connection with Amerasia. I was not passing on his security. He is not an applicant for a position in the Department; so I was not passing on it at all.

Senator LODGE. You were transmitting information you had, is that it?

Mr. PEURIFOY. That is all.

Senator TYDINGS. Did you commit yourself in any way on the security matter? Or did you just read the record?

Mr. PEURIFOY. I just called Personnel and got the record and repeated it.

Senator TYDINGS. You transmitted it?

Mr. PEURIFOY. Yes.

Senator TYDINGS. Did you add or subtract to the record?

Mr. PEURIFOY. Oh, no, sir.

Senator TYDINGS. Did you make any recommendation or statement to the Congressman on Mr. Larsen?

Mr. PEURIFOY. No, sir.

Senator TYDINGS. Was that the sole content of the conversation you had with the Congressman over the telephone?

Mr. PEURIFOY. Did you say it was the sole content?

Senator TYDINGS. Was this the substance of it, or was there anything else?

Mr. PEURIFOY. No, sir; the Congressman was open and aboveboard and so was I.

Mr. MORGAN. Off the record.

(Discussion off the record.)

Senator TYDINGS. All right. Now go on the record again.

Mr. PEURIFOY. Well, so far as I am concerned that is all I have to say about this. I play this game as straight as I know how. I resent these charges. I do not know what I can do about it except to tell you gentlemen under oath there is not one iota of truth in either of these charges that I promised Mr. Larsen anything.

Senator TYDINGS. Then your statement is categorically that you did not make any promise to Mr. Larsen indirectly or of any kind or in any way, shape or form as an inducement to influence Mr. Larsen in his testimony in regard to the Amerasia case or in regard to any other matter under inquiry in the State Department?

Mr. PEURIFOY. Absolutely and most emphatically.

Senator TYDINGS. Neither that nor in any manner ever dealt with him through any agent or man?

Mr. PEURIFOY. I want to say—

Senator HICKENLOOPER (interposing). For the sake of the record. The Chairman asked the question have you done these things. That is what the Chairman emphatically asked in that question and there was no cue on the answer. Without the "No" it would otherwise be hanging in the air.

Mr. PEURIFOY. I repeat absolutely and most emphatically no.

Mr. MORGAN. Mr. Peurifoy, you are probably not familiar with what was stated in our record on the matter and I would like your observation concerning Mr. Larsen.

Mr. Larsen said:

I went to see Mr. Peurifoy and told him that I could not testify against Mr. Service, that he was a Communist or pro-Communist but that I could not hold back testimony that I did suspect him of slanting his reports in favor of the Chinese Communists, who were then our allies.

Do you have any observation or comment to make concerning that statement?

Mr. PEURIFOY. Yes, sir; I told Mr. Larsen:

I do not know whether you are going to be called before the subcommittee or not, or before the Loyalty Board. I assume you might be called before both but whatever you say, you tell the truth. I don't care who it affects.

That was my reply to Mr. Larsen on that.

Mr. MORGAN. Do you recall his ever having made this statement to you:

Don't fear that I am going to testify against Service.

Mr. PEURIFOY. As a matter of fact, I do not recall that. I don't care what he says about Mr. Service. I wanted him to tell the truth.

Mr. MORGAN. Do you now or had you ever at any time had any knowledge of the pending application on the part of Mr. Larsen to secure Government employment?

Mr. PEURIFOY. He mentioned to me that he was attempting to get another Government job in an agency that I believe he described as nonessential to the State Department, and he was applying and he wanted to know what the Department would say.

I told him the normal request would come in my personnel office and under my policies, and the complete files of the Department of State are available to any agency in Washington that wants to see them.

Senator LODGE. And they make up their own minds?

Mr. PEURIFOY. Yes.

Senator LODGE. And you don't make a recommendation one way or the other?

Mr. PEURIFOY. Yes.

Mr. MORGAN. Another statement I would like your observation on, Mr. Peurifoy, is Mr. Larsen's comment when he said:

General Wedemeyer introduced him to General Bolling of military intelligence, who said: "I have known Larsen for quite a long time and I have great faith in him, and I do not have such just superficially. I have had him investigated, and I have been told by Mr. Peurifoy that there is no record against him in the State Department."

Do you know a General Bolling of the military intelligence?

Mr. PEURIFOY. No, sir.

Mr. MORGAN. Have you ever had any contact with anyone in the military intelligence relative to Mr. Larsen?

Mr. PEURIFOY. I do not recall any contact at all in the military intelligence.

Mr. MORGAN. Did you ever to anyone observe, "There is no record in the State Department against Mr. Larsen"?

Mr. PEURIFOY. Only insofar as what I have indicated earlier. I told the Congressman that the record indicated he had resigned. Obviously there was a notation in the files concerning Amorasia. The record states he resigned voluntarily. He says—I have a letter on that. I do not know, I haven't seen the language—

Mr. MORGAN. Have you ever made the statement to anyone, Mr. Peurifoy, there was no annotation in the State Department files of disloyalty on the part of Mr. Larsen?

Mr. PEURIFOY. Not insofar as I can recall. On the other hand, I might say now that technically I doubt if there is a notation of disloyalty, because there was no loyalty program at that time. This was in 1945, when he resigned from the Department.

Senator TYDINGS. When was the loyalty program instituted?

Mr. PEURIFOY. In the fall of 1947; wasn't it, Mr. Boykin?

Mr. BOYKIN. The Executive order was issued March 21, 1947, and it got in operation in October.

Senator TYDINGS. That is right. That is just for the record.

Mr. MORGAN. Have you any other observation on that?

Mr. PEURIFOY. No, sir.

Mr. MORGAN. Now, I think I must refer here to portions of this address to which you have made reference, Mr. Peurifoy, the address of Senator McCarthy of June 15, 1950, in order to obtain your observations on it.

Senator TYDINGS. You mean Senator McCarthy's speech.

Mr. MORGAN. The statement is made, referring to your contact with Mr. Larsen:

This is a picture of this top security officer consorting and dealing with a thief of Government secret documents * * *.

As I gather from your testimony, you have had one contact personally with Mr. Larsen; is that correct?

Mr. PEURIFOY. That is right. I want to make another statement on that. I am a public official, and anyone who wants to see me can see me. I have always had that policy. I want to point out to you that a member of my staff was present when this man came into my office. I will see anyone who wants to see me on public interest. He did not come to my home; he came to my office, which is public property, and anyone who wants to see me can come and see me anytime they like, if I have the time to see them physically.

He did not point, however, that I saw this man before.

SENATOR TYDINGS. Did he come voluntarily to the Department?

MR. PEURIFOY. I never saw him alone, Mr. Chairman, and I don't ever intend to.

MR. MORGAN. Another statement that I would like to have your comment on, Mr. Peurifoy, is this:

Ladies and gentlemen, here is the whole malodorous story:

* * * The thief of State Department secrets, in a discussion with the State Department's top security officer says, "Don't worry, John, I wan't testify against my codefendant, John Service, whom you have been publicly defending."

MR. PEURIFOY. That is not true, Mr. Morgan. I never met the man before. I don't call people by their first names when they come in.

SENATOR TYDINGS. He is saying this to you.

MR. PEURIFOY. He does not call me that.

SENATOR TYDINGS. He said, "Don't worry, John * * *".

MR. PEURIFOY. Yes; I understand.

MR. MORGAN. There is a further statement here:

Acheson's top security officer then rewards this man convicted in the Amerasia espionage case by offering him at taxpayers' expense the legal services of the State Department's chief counsel. In addition, Larsen got full loyalty clearance for any job in the Government.

Now, in your testimony thus far, have you made all the comments you care to make concerning this statement?

MR. PEURIFOY. Well, I have no authority to give anyone security clearance in this Government. Obviously, I could not have made that statement. But, speaking for the Department of State alone, where I do have authority, my answer to you is, I did not say that, or give him loyalty or security clearance. He was not an applicant for a job, and I had no occasion to pass on it.

Then, on the question of free legal advice, I think I attempted to cover it in my opening statement by saying when he left my office I asked him, if he had any further information on the Amerasia case, I wished he would give it to the legal adviser of the Department, Mr. Fisher. I was not sending him to Mr. Fisher for legal advice. That was so we wanted to get all the facts pertaining to Amerasia in our hands. That was the purpose of that remark. I think it is significant, as I really did not call Mr. Fisher and ask him to see him. He went out of my office and told my secretary Mr. Peurifoy wanted him to see Mr. Fisher, so she sent him down to the office. Mr. Fisher did not see him for some time, and subsequently mentioned he had seen Mr. Larsen.

MR. MORRIS. What was the discussion between Mr. Fisher and Mr. Larsen about?

MR. PEURIFOY. I do not know, sir. I am sorry; I do not know. I do not know, Mr. Morris. I assume it was pertaining to the Amerasia case, because that is the only thing I asked him to talk to Mr. Fisher about, and nothing else was reported back to me.

MR. MORRIS. Just a second, Mr. Peurifoy. I understood you said you did not tell him to see Mr. Fisher, and then you said you told him to see him about Amerasia. I just want to get that clear.

MR. PEURIFOY. I said, if he had any further information. He spoke of a memorandum he wanted to leave, and I said if he had any further information pertaining to the Amerasia case I suggested that he talk to Mr. Fisher.

Mr. MORRIS. I just wanted to get that cleared up.

Mr. PEURIFOY. Yes, sir.

Mr. MORGAN. Again referring to the speech, I have one observation that I want your comment on:

Peurifoy is not to go unrewarded. When his job in "Operation Whitewash" is completed, he is to be appointed ambassador to some lucky country.

Senator TYDINGS. Off the record.

(Discussion off the record.)

Mr. MORGAN. Do you have any comment to make on that Mr. Peurifoy?

Senator HICKENLOOPER. I might suggest, Mr. Chairman, for the moment Mr. Peurifoy might be the wrong fellow to comment on the possibility of his appointment in the Department. I might be embarrassing for him to comment on it at this time. I would not hesitate, if I thought he had something on this matter, but I can conceive that it might be embarrassing for Mr. Peurifoy to comment at this time on what his future might be.

Senator TYDINGS. I think that is a sensible suggestion, and, without objection on the part of the committee, I don't think Mr. Peurifoy needs to comment on it if he does not desire to do so.

Senator HICKENLOOPER. I may say that it is possible that it might subsequently be pertinent to ask him about it. I don't want to close the door on it.

Mr. MORGAN. Senator, my purpose in asking this was as a result of the fact that Mr. Peurifoy is appearing before the committee today at his own request to answer some of these charges.

Mr. HICKENLOOPER. I am not objecting, Mr. Morgan. If you feel that the answer to the question is something that you want, I will withdraw my objection. I merely call attention to the fact that in that particular field at this moment I personally would not ask that question about his future, unless there is some specific reason. If you want to go ahead and ask the question, I will not criticize it.

Mr. MORGAN. I have no desire to pursue the question further. If Mr. Peurifoy wishes to comment on it, it is all right; and, if he does not, it is quite all right, as far as I am concerned.

Mr. PEURIFOY. Mr. Morgan, they have taken no action on my future, and I don't think that I, perhaps, should really comment on any possibility.

Senator McMAHON. Off the record.

(Discussion off the record.)

Senator TYDINGS. On the record.

Inasmuch as you raised the question a moment ago, I can say that I consider here that it might be entirely desirable for Mr. Peurifoy to reply to the allegation that he may or may not have been promised a reward for some particular action or course of conduct in connection with the Amerasia case. We only raised the question as to any specific job, any commitment he might be inquiring about. The subject matter, I think, is rather broad.

Mr. PEURIFOY. I appreciate the opportunity to reply to the accusation, and I will say, under oath, I have been promised nothing as a result of my actions in the Amerasia case or any of the loyalty or security cases in the Department.

Senator HICKENLOOPER. I do not want to attempt to shorten up your examination on any particular job.

Mr. MORGAN. I think the answer as given, Senator, is ample.

Senator HICKENLOOPER. He should be given an opportunity to canvass that allegation without at this moment deciding the case.

Mr. MORGAN. Mr. Chairman, I would like to ask some questions of Mr. Peurifoy in connection with our over-all investigation, but perhaps other members of the subcommittee would care to pursue this line of interrogation somewhat before I ask those questions.

Senator TYDINGS. Does any member of the committee wish to ask any questions pertaining to the things which are now before us?

Mr. Morgan has asked questions on it. Do you prefer to ask now or wait until he finishes?

Senator HICKENLOOPER. Mr. Chairman, I have a few questions.

Senator TYDINGS. Go ahead. I see.

Do you have any questions, Senator Green?

Senator GREEN. I have no questions.

Senator TYDINGS. Do you have any questions, Senator McMahon?

Senator McMAHON. I have no questions.

Senator TYDINGS. Senator Lodge, do you want to ask any questions?

Senator LODGE. I have no questions at this time.

Senator TYDINGS. You may proceed, Senator Hickenlooper.

Senator HICKENLOOPER. In your talks with Mr. Larsen, either on the telephone or personally, did you and Mr. Larsen discuss the article he wrote, carried under his name, in Plain Talk magazine?

Mr. PEURIFOY. Yes, Senator Hickenlooper. Not on the telephone.

Senator HICKENLOOPER. Will you give us the conversation in regard to that article?

Mr. PEURIFOY. Yes, sir; this was in the conversation on March 20 in my office. He told me that he had written an article for Plain Talk. He told me that Mr. Levine and Mr. Cobert, or a name something like that, got him in Florida and took him to a hotel in New York and paid his expenses, and he spent several days in this hotel room writing this article. He said they came in and objected to the article—that it was not strong enough—and he then told me that they changed his article; and, as it appears, it was not the article that he had written.

That was the sum and substance of it.

Senator HICKENLOOPER. Did he tell you in what particulars or with respect to what particulars they changed the article?

Mr. PEURIFOY. I don't recall that he did, Senator; he may have.

Senator HICKENLOOPER. Did he say anything to you about being motivated by personal reasons or a grudge or anger in writing the article?

Mr. PEURIFOY. I believe he said a grudge against Service; that he felt Service "put the finger on him before the grand jury," as I recall it. That was the only case of grudge or anger.

He did mention, in regard to this article, in a luncheon that he had with some other people, that he had been in the Far Eastern Office, on policy—

Senator HICKENLOOPER. Did he say anything to you, or infer in the conversation, as far as any understanding you had, that he had either changed his mind, that he was not of the same opinion, or the article he had written was completely wrong, or anything of that kind.

Mr. PEURIFOY. He did indicate that the article did not conform to his original manuscript, and, therefore, he thought they put more emphasis on certain individuals than he had put in his original manuscript.

Senator HICKENLOOPER. Did he tell you that he had never been critical of General Wedemeyer or had never been critical of General Marshall or had never been critical of Dean Acheson?

Mr. PEURIFOY. I don't recall that he made that statement to me, sir.

Senator HICKENLOOPER. Mr. Peurifoy, have you seen a copy of the testimony of Mr. Larsen.

Mr. PEURIFOY. No, sir; I have not.

Senator HICKENLOOPER. Have you seen any notes or résumé?

Mr. PEURIFOY. No, sir; I have not.

Senator HICKENLOOPER. Except in the papers?

Mr. PEURIFOY. That is all.

Senator HICKENLOOPER. Did Mr. Larsen say anything to you about whether or not the statute of limitations had expired, or did he inquire into the phase of the situation?

Mr. PEURIFOY. No; I don't believe so.

Senator HICKENLOOPER. Or in any statement had had made theretofore?

Mr. PEURIFOY. No, sir. I am not a lawyer. Maybe he knew that. He did not raise it with me.

Senator HICKENLOOPER. Did he say anything to you that led you to believe in any way that he was seeking or desirous of obtaining legal advice on the situation?

Mr. PEURIFOY. No, sir.

Senator HICKENLOOPER. Then, I take it that the only reason why, so far as he desired to see Mr. Fisher, or that you desired that he see Mr. Fisher, was that he furnish such information as he might have on the Amerasia case that you did not already have.

Mr. PEURIFOY. That is absolutely correct.

Senator HICKENLOOPER. And he did not discuss the legal situation with you at all?

Mr. PEURIFOY. No, sir.

Senator HICKENLOOPER. Did he discuss—and this may have been fully covered earlier—did he discuss what the attitude of the Department would be upon his application for a position with some other Government department?

Mr. PEURIFOY. Yes; he did, insofar as he wanted to know what the records of the Department indicated; and I told him that the records indicated that he had resigned and obviously there would be reference in the files to his part in Amerasia.

Senator HICKENLOOPER. You are aware, then, and the Department was aware, that the plea of nolo contendere involved the allegation of his participation in the clearing house of taking out of documents from State Department files?

Mr. PEURIFOY. Yes, sir; I knew it.

Senator HICKENLOOPER. You and the Department were aware that was a complete breach of trust and faith in a very sensitive part of our Government; were you not?

Mr. PEURIFOY. Yes, sir.

Senator HICKENLOOPER. He had resigned?

Mr. PEURIFOY. Yes, in 1945, in the fall.

Senator HICKENLOOPER. Do you have any reason, or do you have any opinion, based upon conversations with others in the Department, or acquired in any way, as to why this man who stood in court and—while he did not actually plead guilty, it was tantamount to a plea of guilty, and he accepted a sentence for taking out these documents—was permitted to resign and was not discharged as a disloyal individual?

Mr. PEURIFOY. I am sorry; I do not know that.

Senator HICKENLOOPER. Is it the policy of the State Department in cases of this kind to give these people an easy way out, rather than to bring commensurate punishment on them for their breach of trust?

Mr. PEURIFOY. Well, sir, I think I have proven that I have the desire and the will to do whatever justice calls for. If it calls for firing, I have no compunction in firing these people. I have done it and I will do it again, sir, if the occasion arises.

Senator HICKENLOOPER. Well, the basis of my question is that in a number of the Government departments they have permitted a person to resign in the face of proven and established unfaithful acts, whether you call it disloyalty or whatever you call it. They are acts of unfaithfulness to their trust which have been proven. That has taken place in Government departments, to my personal knowledge, and I happen to be violently opposed to it. I think if there is no proof or if there is a suspicion or a matter of judgment that someone is not desirable, perhaps a resignation is in order; but where there is proof of that fact, where it has been established, then I definitely oppose the device of permitting any culprit to resign, because I am very much of the opinion that they have gone to other departments in the Government and on the basis that they voluntarily resigned have been able to get other positions. That is my own philosophy on the thing. I am not raising a question about it.

Mr. PEURIFOY. May I join with you in saying that I agree with your philosophy, Senator Hickenlooper? There is no question about it.

Senator HICKENLOOPER. Then let us take the Larsen case. I am not holding you responsible for the Larsen resignation; you were not there; you were not around, in that vicinity, at the time; but let us take the Larsen case. As far as I am concerned, there was complete proof. The plea of nolle contendere is a device perhaps justified. I don't say that it isn't, in the proper case. But it is complete proof. The culprit is found and accepts whatever punishment the court metes out, and does not defend himself, and takes no steps to defend himself.

Now, on the 12th of May, the State Department release is given to the public.

Senator GREEN. What year?

Senator HICKENLOOPER. May 20, 1950, in which the State Department analyzed the speech of Senator McCarthy. Senator McCarthy, among other things, made the statement in that speech, according to this, as carried in the press, and I assume he did make this statement—I haven't actually checked with him. If you will turn to page 3 of that, under No. 7—

Mr. PEURIFOY. Yes, sir. Under No. 7?

Senator HICKENLOOPER. Senator McCarthy said, in effect:

* * * Mr. Service, you will recall, was picked up by the FBI in connection with the Amerasia case. Papers carried the story that J. Edgar Hoover, who

is not noted for overstatement—that J. Edgar Hoover stated "that this is a 100-percent airtight case of espionage."

Now, you wrote a letter, then, according to this bulletin, you wrote a letter to Mr. Peyton Ford. I believe your letter is in here, I think you will find it on page 8.

Mr. PEURIFOY. Yes, sir; Senator Hickenlooper.

Senator HICKENLOOPER. You wrote a letter to Mr. Peyton Ford in which you quoted from Senator McCarthy's speech and referred to the allegation Mr. Hoover said publicly at the time of the arrest; Mr. Hoover said this was a 100-percent airtight case of espionage.

You asked Mr. Ford about it, and Mr. Ford replied as shown by his copy of his reply on page 9 of the report, in which he said, in his letter to you:

You are advised that Mr. Hoover did not make that statement which has been attributed to him.

Mr. Peurifoy, have you ever checked directly with Mr. Hoover as to whether or not he had ever made such a statement?

Mr. PEURIFOY. I did not; no, sir.

Senator HICKENLOOPER. You did not pursue that inquiry further, then, than Mr. Ford, in the Department of Justice?

Mr. PEURIFOY. No, I did not. I assumed that the Deputy Attorney General would talk to Mr. Hoover and get it direct from him on espionage.

Senator HICKENLOOPER. May I ask you, for the record here, why you wrote to Mr. Ford instead of writing direct to Mr. Hoover, who was claimed to have made the statement? Mr. Hoover would be the best evidence of what was said.

Mr. PEURIFOY. Yes, sir. I think the answer to that is that normally our office clears—we deal with the heads of the departments and agencies, and on matters of statements like this, it seemed to be the normal thing to address it to either Mr. McGrath or Mr. Ford.

Senator HICKENLOOPER. Of course, Mr. Hoover is head of a bureau.

Mr. PEURIFOY. Yes, sir.

Senator HICKENLOOPER. And, of course, the Bureau is under the Department of Justice.

Mr. PEURIFOY. Yes, sir.

Senator HICKENLOOPER. I am aware of that.

Mr. PEURIFOY. Perhaps, Senator Hickenlooper, there was really no reason why I should not. On second thought, I should have. My relations with Mr. Hoover are good. Maybe it is just one of those things.

I wrote Mr. Ford rather than Mr. Hoover—

Senator HICKENLOOPER. I am not necessarily indicating a criticism, or a lack of criticism. I am raising the question as to why you did not write directly to Mr. Hoover and get Mr. Hoover's statement on this matter.

Mr. PEURIFOY. I might well have.

Senator McMAHON. Could I interject and say at this point in relation to that, that when the State Department communicates with the Attorney General or the Deputy Attorney General rather than with the division of the FBI or the Bureau, that is the normal procedure, to address the Department head?

Mr. PEURIFOY. That is true, Senator McMahon. I must say, Senator Hickenlooper, again, that Mr. Hoover and we are not strangers to each other. I think he is a fine, high-type man.

I might well have picked up the telephone and called him, myself, but it was just one of those things.

Senator HICKENLOOPER. Have you ever, at any time since, talked directly to Mr. Hoover about this?

Mr. PEURIFOY. No, sir.

Senator HICKENLOOPER. Or have you ever had any communication indirectly with Mr. Hoover? By that I don't mean rumors, but indirectly received a message from Mr. Hoover on that statement?

Mr. PEURIFOY. No, sir.

Senator TYDINGS. Off the record.

(Discussion off the record.)

Senator HICKENLOOPER. I am sorry, Mr. Peurifoy, but I haven't been able to see a copy of Mr. Larsen's testimony here; so, I do not know what Mr. Larsen said.

Mr. PEURIFOY. Neither did I.

Senator HICKENLOOPER. My reason for that remark is that I might have a great many questions to ask you if I knew what Mr. Larsen testified to.

Mr. PEURIFOY. I would be very happy, Senator Hickenlooper, to come back at any time that you would like me to.

Senator McMAHON. Mr. Chairman, Senator Hickenlooper has just said to Mr. Peurifoy that in the absence of his having seen the transcript of Mr. Larsen's testimony, which has not been made available to him, that he has no more questions to ask at the moment. He added, however, that if he had available Larsen's testimony he might have some more questions. I asked him if he did not have that testimony, and he informed me that he did not have it.

Senator TYDINGS. He did not ask for it. While he was out in Iowa, I did not feel like sending it to his office; I did not want it kicked around. I thought before I release any more transcripts we should consider leaks in the committee. The committee is entitled to what we have. I think we should have better security. There is no use in having executive sessions if things leak out. It has been somewhat disturbing, with what has gone on in this case.

Senator HICKENLOOPER. I made the further comment, mentioned by Senator McMahon, that I did not have any more questions to ask Mr. Peurifoy, but I could ask some more of Mr. Peurifoy if I had a chance to see Mr. Larsen's testimony. I have been informed by three responsible men, newspapermen, that the newspapers had full access a few days ago to the transcript of the testimony which Mr. Larsen gave.

Senator TYDINGS. Not with my consent.

Senator HICKENLOOPER. I haven't had access to it. I haven't seen it. I do not know what is in it. And I said to Mr. Peurifoy, if I had been able to read Mr. Larsen's testimony I might have some more questions that that testimony would raise and that I might want to ask him.

Senator TYDINGS. All right.

Senator McMAHON. Might I suggest, Mr. Chairman, that I am somewhat interested in this statement of Senator Hickenlooper's, that he might have some more questions to ask if he had the transcript?

I suggest, Senator, that the transcript be gotten to him. I don't like the Senator to have an opportunity to complain.

Senator TYDINGS. That is right. The only reason that the transcript was not furnished to him was that at the time it was made up the Senator was in Iowa and, of course, I did not want it kicked around.

Senator McMAHON. Yes.

Senator TYDINGS. And, when he came back, it did not occur to me, and he did not ask for it, I don't think.

Senator HICKENLOOPER. There have been several requests from my office to your office for the Larsen testimony, and I even wrote a letter.

Senator TYDINGS. Yes; I got your letter yesterday, but, knowing we would be meeting here, I wanted to simply caution everybody, the counsel, the investigators, and the members of the committee, of the matter of the prestige and the dignity of the Senate, if we just could have a little tighter control over our transcripts.

Any man who is an employee or a member of the committee is on notice that it is up to him not to give out any of the testimony taken in the executive sessions of the committee. It should not be given outside the committee, until the contents of any of the testimony here given is released by the vote of the committee.

Now, we have voted to take all of this testimony in executive session. I think the vote was unanimous. And I therefore must ask everybody to please respect the position of the committee, and there must be no more leaks, directly or indirectly, and the testimony will be made available to all members of the committee.

Senator HICKENLOOPER. I haven't publicly complained about not getting a copy, but I appreciate the opportunity to canvass this story.

This transcript was made available to the press, and copies made available by the press, and the only observation I made yesterday to a press representative was, I said, "It is a rather peculiar situation that I haven't had it available to me and the press seems to have had it."

Senator TYDINGS. All right.

Senator HICKENLOOPER. When was the time that you said you talked to Mr. Larsen, Mr. Peurifoy? Did you speak to him personally?

Mr. PEURIFOY. March 20.

Senator HICKENLOOPER. March 20?

Mr. PEURIFOY. Yes.

Senator HICKENLOOPER. Did you speak to him after that on the telephone or personally?

Mr. PEURIFOY. Yes, sir; on April 4 Mr. Larsen called to inquire whether or not Mr. Peurifoy received the material he left with Mr. Bryan.

Senator HICKENLOOPER. He called on the telephone?

Mr. PEURIFOY. Yes, sir.

Senator HICKENLOOPER. You did not see him personally?

Mr. PEURIFOY. Yes. I said I had received it, that Mr. Bryan had a memorandum, "To whom it may concern", which I will make available to the committee if you would like to see it. I turned it over to the Loyalty Review Board, which was getting ready to have a session.

Mr. MORRIS. Was that your last conversation with him?

Mr. PEURIFOY. No, sir; Mr. Morris. He called on April 11 to leave a message for me.

Mr. MORRIS. What was the message?

Mr. PEURIFOY. It was a message in regard to a conversation he had with you.

Mr. MORRIS. Why do you think he called to tell you that?

Mr. PEURIFOY. I have no idea why he called me, Mr. Morris. As I said, I did not talk to him on this occasion. He left this message with my secretary, to give it to me.

Mr. MORRIS. Have you put that message in the record?

Mr. PEURIFOY. I have not. I did not want to. It pertained to other names that I did not think have any relation to this, or any connection with this.

Senator HICKENLOOPER. Mr. Peurifoy, I will ask you a question in the nature of a hypothetical question, as far as these propositions are concerned: It is possible that it might not be a proper question, but I will ask it, anyway, and, if it is not proper, we can discuss that—assuming that Mr. Larsen testified before this committee to the things that Mr. Morgan has stated he testified to—I am assuming that to be true, of course—especially with regard to the conversation that Mr. Larsen claimed he had with you on a number of subjects that he said you discussed—Do you believe that Mr. Larsen is a truthful man and could be relied upon? I say, assuming those premises.

Mr. PEURIFOY. Well, sir, being charitable, I would say that I would perhaps say that he stretched our conversations a little bit.

Senator TYDINGS. What is that?

Mr. PEURIFOY. Perhaps he stretched our conversation a little bit.

Senator HICKENLOOPER. I don't believe we are dealing with charity, or the reverse of charity; we are trying to ascertain facts, and we have to get at the facts.

Mr. PEURIFOY. I certainly want to give you facts.

Senator HICKENLOOPER. The purpose of my question is, whether this man Larsen can be believed in any particular, on the theory that if a man lies on some details, is his testimony to be trusted in any details, without complete corroboration from other sources? I am trying to see whether you think—

Mr. PEURIFOY. I certainly—

Senator HICKENLOOPER. In your opinion, he falsified in some of the statements?

Mr. PEURIFOY. He certainly misled this committee, if he quoted me the way I get it, because—

Senator HICKENLOOPER. Let us use a little milder term. He misstated the facts.

Mr. PEURIFOY. He made misstatements.

Senator HICKENLOOPER. Would you say that he misstated facts, alleged facts, to be facts, which are not so?

Mr. PEURIFOY. Yes, sir; that is correct.

Senator HICKENLOOPER. Are you familiar with the testimony of former Ambassador Grew before the House committee? Have you read that?

Mr. PEURIFOY. I haven't read all that testimony, Senator Hickenlooper. I read part of that in the Congressional Record.

Senator HICKENLOOPER. Are you familiar with the testimony Mr. Grew gave, which, I believe, I interpreted, in effect, that in his opinion it was a case of espionage, that is, the Amerasia case?

Mr. MORGAN. Off the record.

(Discussion off the record.)

Mr. PEURIFOY. I am really not familiar with that, Senator Hickenlooper.

Senator HICKENLOOPER. Have you discussed it with former Ambassador Grew?

Mr. PEURIFOY. Yes, sir; I saw him recently and he told me his part in the case, that he was then, I believe, Acting Secretary. I believe, at the time. He told me he had not heard anything about it, and he told me General Holmes came up to see him and told him it was a case of certain people, and asked for his authority to go ahead and pursue it, and Mr. Grew said, "Go right ahead," as far as he was concerned.

He told me that he was not familiar with the details of the case, that it was handled by the man who was the man in my position, General Holmes, at that time.

Senator HICKENLOOPER. Then, it would be hearsay to ask you what Ambassador Grew or Secretary Grew told you.

Mr. PEURIFOY. I tried to relate it briefly, in a few minutes.

Senator HICKENLOOPER. Did you say anything to Mr. Grew as to your then opinion in this case and the manner in which it was handled?

Mr. PEURIFOY. Well, I had no opinion. I was not in this position at that time. I was not handling it. I had no access to the files. All I saw was what in the papers at the time.

Senator HICKENLOOPER. What was the occasion of Mr. Grew's conversation with you?

Mr. PEURIFOY. Mr. Grew had been in Europe and returned and he wanted to tell me what he knew about the Amerasia case, which was very little, except what he did when it was called to his attention. I think he would be the best witness of what he did.

Senator HICKENLOOPER. Now, the Department of State is manifestly inviting publicity, and all the rest of the things that have recently come up in the Amerasia case—that is correct; isn't it?

Mr. PEURIFOY. What do you mean by "publicity"?

Senator HICKENLOOPER. I am referring—you went to the trouble, on May 20, certainly when you were under attack, that you replied.

I think that it is manifest that you have taken a very substantial stand.

Mr. PEURIFOY. We are not interested in publicity, but in defending ourselves.

Senator HICKENLOOPER. Since the publicity came out, you became reactivated in this matter.

Have you been assigned in any way by your superiors in the State Department to handle this Amerasia case? That is, in the past few months?

Mr. PEURIFOY. Only that I would handle any details pertaining to loyalty or security in the Department of State. That is a standing instruction. Those are my instructions.

Senator HICKENLOOPER. I cannot ask for the details of conversations, but have you discussed this Amerasia case in the last 3 months or 4 months with the President of the United States or with the Secretary of State? I mean this matter when it originally came up. Let us go back to the Lincoln Day speech Senator McCarthy made.

Mr. PEURIFOY. Off the record.

(Discussion off the record.)

Mr. PEURIFOY. On the record, my reply would be, sir, that never have I discussed this case with the President, never have I discussed it with the Secretary of State in any detail. I may have just mentioned it in a casual conversation. Never have I discussed any of the implications, or individuals involved, with the Secretary, sir.

Senator HICKENLOOPER. Have you discussed the case with any member of the President's staff or anybody speaking on behalf of or with the authority of the President?

Mr. PEURIFOY. I am sure I have not, except maybe at a luncheon or conversation where you might have to refer to what was going on in the newspapers, but never in detail, or any type of detail.

Senator HICKENLOOPER. Have you had full charge of the responsibility for the method and program of handling the State Department in this--let us say, the Amerasia case and the other matters raised in this connection?

Mr. PEURIFOY. Yes, sir.

Senator HICKENLOOPER. Has it been your responsibility or have you been connected with other phases of this matter, so far as handling State Department affairs? By "affairs" I mean meeting and dealing with this whole proposition.

Mr. PEURIFOY. I think it is a double-barreled question. First, I do have responsibility. Yes, I have talked to many people about different problems, when this one came up, but with respect to the loyalty and security of these case files, et cetera, I have. I have talked these cases over with Don Nicholson and Don Barkin.

I might add, Senator Hickenlooper, when questions of legal import, et cetera, were involved, in those instances I would ask Mr. Fisher to look into it.

Senator HICKENLOOPER. Have you discussed with the Department of Justice or anybody in authority in the Department of Justice the situation surrounding the Amerasia case, that insofar as the original features are concerned and the prosecution was concerned—

In other words, what I am interested in, by way of illustration, and what I am trying to get at, have you ever said to the Department of Justice, "How come these people in this situation who you are prosecuting?"

Mr. PEURIFOY. No, sir.

Senator HICKENLOOPER. Did you ask them how come that only fines were meted out in a few cases?

Mr. PEURIFOY. No, sir, I have not; it was handled by General Holmes; and I understood he testified before this committee. I do not know whether you asked any questions of him about that or not. I haven't seen his testimony, either.

Senator HICKENLOOPER. I haven't either.

It appears to me, Mr. Peurifoy, inasmuch as this Amerasia case was so very much concerned with the State Department and the records of the State Department, it would appear that these people were not sufficiently punished. Can you explain why these people were not punished more severely and why more people were not brought to justice on that?

Mr. PEURIFOY. I think, Senator Hickenlooper, you have got to appreciate the tremendous task that I have there. This thing was handled by my predecessor and handled by the Department of Justice.

These people went before the grand jury; I came in a couple of years later. I had a perfectly terrible job, setting up screening-machinery procedures and establishing standards for these people that had been blanketed into the State Department.

Senator HICKENLOOPER. I understand that, and I do recognize the fact that you were not there.

Mr. PEURIFOY. I was concerned with the people who were then on our rolls, and trying to do the job the best I could. I was working night and day, and I have been on the pressing problems, and I had no reason—the Department did not come to me and tell me, "This thing ought to be looked into again"; and I was just trying to do my job the best I could with the people that we had on the payroll. It seemed to me that that was my primary concern. I felt that if we had anyone that was undesirable, that we ought to get those people off the payroll, before I go into a case that was decided some time ago, and I did not know any more than what I just read in the newspapers in recent months about the Amerasia case.

Senator HICKENLOOPER. I want to make it clear that when you took your job, I do not claim that you should have gone into Amerasia. I am not raising that question. I am not suggesting that you should have taken up that case. That has been discussed in the last 3 or 4 months.

Mr. PEURIFOY. I asked Mr. Fisher to look into all phases of the Amerasia case, as far as I was concerned.

Senator HICKENLOOPER. Mr. Fisher has not been before the committee, has he, Mr. Chairman?

Mr. PEURIFOY. No, sir.

Senator HICKENLOOPER. I think I have no other questions.

Mr. MORRIS. May I ask a question?

Senator TYDING. Yes.

Mr. MORRIS. Some weeks ago, Mr. Peurifoy, you made a public statement which in substance referred to John Service, and there was an expression of great surprise or regret that he should have been mentioned in this proceeding. Was that opinion expressed at that time your opinion today?

Mr. PEURIFOY. Mr. Morris, I made that statement because of the headlines. Mr. Service is still a human being. I think that that statement was probably misinterpreted. Maybe I went too far, but I really meant it from my heart, about the headlines; not under normal law, and the review program, that I should have brought Mr. Service back. I agree I should have. It was addressed to the nature in which it was brought about, not concerned with the problem about Mr. Service one way or the other.

Mr. MORRIS. Did you know, at the time, that Mr. Service had passed secret documents to Mr. Gately, the Soviet secret agent?

Mr. PEURIFOY. At that time, I did not know it. I am not sure about that, about those documents. I haven't seen the complete hearings about the loyalty board. He is before the loyalty board.

Senator TYDING. He will be before them tomorrow.

Mr. PEURIFOY. I still do not know the substance of it.

Mr. MORRIS. Shouldn't you have been apprised of what those facts were that took place in 1945?

Mr. PEURIFOY. Under our system, under which we live, under our Constitution, I have been informed, and I do not know whether it is true or not—maybe you know—I have been informed that as to all the people who went before the grand jury, the grand jury voted twenty to nothing to clear Mr. Service. That was a remarkable decision.

Senator TYDING. That is correct.

Mr. PEURIFOY. This man was working for the Department, and, until I knew anything different, or anything else comes up, why, I would like to be as fair as possible.

Mr. MORRIS. But we have testimony before this committee that Mr. Service transmitted secret military information in a hotel room to a man who I can describe as a Soviet agent, a man who under surveillance moved freely with Soviet agents, the Soviet Embassy, and Communist delegates in the convention. This took place not recently but 8 years ago. What disturbs me is that nothing was done to kick him out.

Mr. PEURIFOY. I understand, Mr. Morris, and I would like Mr. Boykin to check me. As I understand, he has been investigated four times and been cleared four times. I did not see his testimony, but I assume they evaluated this information that he is alleged to have passed this information, and they evaluated the men who appeared and testified, and it was a question in regard to his acts. I do not have his testimony. I assume that the people who investigated it looked into all those matters.

Senator HICKENLOOPER. Off the record.

(Discussion off the record.)

Senator HICKENLOOPER. I have no more questions.

Mr. MORRIS. I have one more question. I would like an opportunity to continue this examination after I have seen a record of the transcript taken of Mr. Larsen. I can't recall all the things that were said. I would require that in order to ask my questions.

Senator TYDING. I am going to go to my office immediately and have whatever we have got sent around, and I ask, when they do come to you, that they be safeguarded, and that these leaks be stopped.

Senator HICKENLOOPER. Mr. Chairman, my records are kept at all times under lock and key, and nobody else in the office has access to them but me.

Mr. PEURIFOY. What we want, Mr. Chairman, if I am going to be asked questions about the testimony of this man Larsen—I ask that I be permitted to see what he said, too.

Senator HICKENLOOPER. I can say this, Mr. Chairman, that if I have the opportunity or desire to interrogate Mr. Peurifoy on what Mr. Larsen testified, I am perfectly willing for Mr. Peurifoy to see the testimony; I have no objection to that.

Senator TYDING. All right.

Senator HICKENLOOPER. I may want to ask Mr. Peurifoy some additional questions after I have seen what Mr. Larsen testified to.

Senator TYDING. I will see that you get the transcript as soon as it is available. I will have to look them up.

Mr. MORGAN. Off the record.

(Discussion off the record.)

Senator TYDING. On the record.

Mr. MORGAN. Mr. Chairman, in another connection I have asked the State Department to supply for our records a statement concerning

the handling of this influx of employees of the emergency agencies in 1945 and 1946, and I would like to ask Mr. Peurifoy if he has prepared such a statement and if he has it with him now.

Mr. PEURIFOY. I do.

Senator TYDINGS. How long is it?

Mr. PEURIFOY. About five pages. I will be glad to submit it for the record.

Mr. MORGAN. I would like to request, Mr. Chairman, that Mr. Peurifoy read this statement into the record, because I think it is in line with the scope of our investigation.

Senator GREEN. Do you want to identify the statement?

Senator TYDINGS. Yes. Mr. Peurifoy will now read into the record a statement in regard to the influx of employees in various emergency agencies.

Mr. PEURIFOY. I have deep and profound interest in our democratic way of life and I have, on many occasions, expressed myself both publicly and privately that I have a vital interest in the security of these United States and particularly in the security of the Department of State. Therefore, gentlemen, I think you should know how the security program of the Department of State was developed and of the action being taken to provide security to the Department and the Foreign Service.

On February 18, 1947, General Marshall, who was then Secretary of State, delegated full responsibility to me for the security of the Department and the Foreign Service.

Realizing the seriousness of this responsibility, I immediately undertook to acquaint myself with the security problems of the Department and with the facilities that were available to handle these problems. The Department had suddenly had its staff increased by approximately 4,000 employees in the latter part of 1945 and early 1946. These persons had been blanketed into the Department, by Executive orders. They came from the Office of War Information, Foreign Economic Administration, Office of Strategic Services, Army-Navy Liquidation and part of the Coordinator of Inter-American Affairs. Such a wholesale blanketing of employees into the Department had placed upon the Department's security facilities a burden which such facilities were not capable of handling. Definite steps had been taken by my predecessor to correct this situation and definite progress had been made.

Surveys which my predecessor had instituted indicated that a great deal more would have to be done in order to provide adequate security to the Department and the Foreign Service. There were only 47 special agents available to conduct investigations. Obviously this number was not sufficient to investigate these employees. Furthermore, these investigators, while experienced, had no operations manual to guide them in their investigations. While there was a security screening committee in existence, as an emergency measure, this committee did not have any standards of security or loyalty which it could use as a guide in making security and loyalty determinations.

Organizationally the situation did not appear to be satisfactory inasmuch as there was doubt as to the adequacy of the security procedures both from an investigative and evaluation point of view. There were indications that the security function was divided among

too many divisions and offices and that there was a very definite need for an improved foreign security program as well as a need for improving the security consciousness of every employee both at home and abroad. At this point, let me assure you that the conditions which I have just mentioned do not exist today. Corrective measures have been taken.

One of the first steps which I took was to request the Federal Bureau of Investigation to make a complete survey of the security operations and inform me not only of the adequacy of the existing procedures but also to make recommendations for improvement. The Federal Bureau of Investigation furnished me a report on April 28, 1947. Their recommendations have been acted upon. The report, the recommendations and the actions taken on the recommendations have recently been made available to a member of the subcommittee of this committee.

In June 1947 I abolished the security screening committee on personnel, which was a secret committee. At the same time I announced to all employees the establishment of the Personnel Security Board and the procedures under which it would operate. Loyalty and security standards were established as a guide for the operations of this Board. When the Government's loyalty program went into effect the name of the Personnel Security Board was changed to the Loyalty Security Board and it was given authority to act as the Department's Loyalty Board. I appointed Gen. Conrad E. Snow of New Hampshire as Chairman of the Board. Today this Board has nine members, all of whom have been carefully selected by me after receiving recommendations from the security people of the Department. These men are outstanding, thoroughly competent, and fully capable of discharging their responsibilities.

I want to add in here that I do not personally go out and pick these people who serve on this Board. I ask my security officer to make recommendations to me as to who should serve on these boards.

In order to expedite the screening of the persons who had been blanketed into the Department, a strong evaluation unit was established which directed, on a priority basis, the investigations of the individuals on whom there was any security question. This security screening has been completed. All of those persons on whom some question existed have either left the Department or have been cleared and processed under the Government's loyalty program. Incidentally, I might mention that all employees of the Department are screened for security and processed through the loyalty program.

Inasmuch as the security responsibilities of the Department were divided among several organizational units, I determined that a reorganization of the entire set-up was necessary. Several organizational changes were made. This reorganization has been completed. Today the present Division of Security under the direction of D. L. Nicholson, an attorney and former FBI agent, is the only organizational unit having responsibility for directing the personnel and physical security program of the Department and the Foreign Service. It has been strengthened by recruitment of thoroughly experienced and competent professional security personnel. The present investigative staff has been provided with a complete manual of operations, is trained by means of periodic conferences, and is kept up to date on all new investigative techniques.

All employees have been given security indoctrination. This has been accomplished through motion pictures, lectures, posters and a system of unit security officers in each operating unit throughout the Department. Physical security regulations have been revised and re-issued for both the Department and the Missions in foreign countries.

The foreign security program has been reorganized during the past year and a sound foundation has been laid upon which an expanded and improved program can be developed.

The need to provide adequate technical equipment such as safes, locks, alarm systems, et cetera, is constant. Today, facilities exist within the Division of Security to adequately provide for and develop such equipment to insure the physical protection of classified information.

Certainly I need not tell you gentlemen that the maintenance of adequate personnel and physical security is continuous. Therefore, we have provided for continuous screening of personnel and this program is well established and is in operation today.

There has been tremendous progress made by the Department of State in the security field and I have full and complete confidence in the people associated with the program.

Recently a subcommittee of this committee has investigated our policies and procedures and in a spirit of helpfulness has submitted their recommendations for improvement. At the moment a thorough analysis of these recommendations is in process. When the analysis is completed I will furnish this committee with my comments on the recommendations.

Senator LODGE. Mr. Chairman, Mr. Peurifoy made reference to one member of the committee having questioned the FBI recommendations as to the administration security of the State Department. I am a member of that subcommittee and I am studying the report now, and, as soon as I have finished it, studying it, I will send it to you.

The subject interests me very much.

Now, I would like to ask Mr. Peurifoy this: Is it broadly true that in the fall of 1945 and the early part of 1946 there were blanketed into the State Department by Executive order some 4,000 persons without adequate screening?

Mr. PEURIFOY. That is correct, sir.

Senator GREEN. Mr. Chairman, it seems to me it would be wise to have copies of that report available for all members of the committee. I think there is only one copy available. Could we have copies made?

Senator TYDINGS. Off the record.

(Discussion off the record.)

Senator LODGE. As soon as I finish reading the report, I will send it to you, in a day or two.

Senator TYDINGS. If you make a thorough study, we would not have to go into it.

Senator LODGE. I will send it over to you today.

Mr. MORGAN. Some time ago, in a discussion on the Senate floor, Senator McCarthy introduced a one-page photostat copy of a paper or a document which was prepared in the State Department, apparently, relative to this problem of the screening of employees and continuing appropriate investigation with respect to them.

I have made a request to the State Department for that document and I wonder if it will be made available to us and, if so, when.

Mr. PEURIFOY. Yes, Mr. Morgan. I think the full document should be made available to you. There was a report made in August of 1946 and submitted to my then predecessor.

Senator TYDINGS. You will make it available?

Mr. PEURIFOY. I will make it available.

Senator TYDINGS. All right. Go ahead.

Mr. PEURIFOY. But, for one thing, I will probably strike the name from the report, that is, the names mentioned in it.

Senator TYDINGS. All right.

Mr. MORGAN. Mr. Peurifoy, we have in our record now the proceedings before a subcommittee of the House Appropriations Committee in 1948, when you appeared.

Senator TYDINGS. You better make that specific, in that there were three of them.

Mr. MORGAN. This is a subcommittee of the House Appropriations Committee, dealing with the appropriation for the State Department.

Senator TYDINGS. That is right.

Mr. MORGAN. And, as Mr. Peurifoy stated, he appeared before that committee and testified with respect to certain cases identified by numbers, as I remember.

Mr. Peurifoy, have you made any analysis whatever of those cases discussed before the subcommittee of the House Appropriations Committee, in the light of the cases discussed on the Senate floor on February 20, 1950, by Senator McCarthy?

Mr. PEURIFOY. Yes, sir; we have.

Mr. MORGAN. And what was the result of your study?

Mr. PEURIFOY. The speech of the Senator from Wisconsin on February 20 was concerned with the report of the investigators of the House Subcommittee on Appropriations factually, the factual information; the nonfactual—it is perfectly clear that these names came from that report, as far as we can determine.

Senator TYDINGS. Are they the same cases?

Mr. PEURIFOY. Those that he factually described; yes, sir; there were several cases.

Senator TYDINGS. All right.

Mr. MORGAN. Reference was made, Mr. Peurifoy, to the fact that you have been overruled at various times with respect to security cases, or loyalty cases, in the State Department.

Have you, or have you not, on occasion, been so overruled?

Mr. PEURIFOY. Not by the present Secretary of State.

Mr. MORGAN. Is there anything else you care to say on that subject?

Mr. PEURIFOY. Well, some time ago I was overruled on cases that I had acted on several years ago. I returned to New York from a trip to Europe, accompanying a group of Senators to Europe. The day I returned to New York, before I reached Washington, the papers indicated that the action I took had been reversed, notwithstanding that I had exercised the McCarran rider, and they were permitted to resign.

Mr. MORGAN. There have been some references treated rather extensively in the press to the effect that the loyalty files now available to review by the members of this subcommittee have been doctored, tampered with, altered, changed, as the case may be.

Have you any information, Mr. Peurifoy, that such has been done with respect to the loyalty files?

Mr. PEURIFOY. I want to say to you, sir, that I specifically gave orders that nothing in the files be deleted and no file should be removed, should not be tampered with, notes should not be erased, and everything in our files should be made available to this committee.

Mr. MORGAN. Are you in a position to say everything in the files pertaining to loyalty has been made available to this committee?

Mr. PEURIFOY. Insofar as a human being can. I issued an order to that effect. I can so state.

Senator LODGE. At this point, I may say that I have read a representative cross section of those files, and, in their present state, or unfinished state, they do not furnish the basis for me to reach any firm conclusion. I do not challenge the statement that everything on the case is in the file, but I do say that the allegations are not followed up in many cases, neither confirmed nor denied. To expect a Senator reading one of those files to reach a conclusion, it is a very difficult procedure. I am not criticizing you at all but inasmuch as the question of the adequacy of the files came up I want the record to show in my opinion that the files are inadequate.

Mr. PEURIFOY. I don't think you asked if they are adequate.

Senator LODGE. I did not ask it.

Senator TYWINGS. I would like to put in the record and will furnish for the record a statement that immediately upon the charge of Senator McCarthy that the files were tampered with I wrote to the Department of Justice and asked them to make a thorough examination as to whether the material furnished by the FBI for these files was intact, whether any of it was missing, and so on, and I was advised yesterday that all files have been examined and there was no erasing or tampering or altering of the records according to the FBI. There is no evidence in any way, shape, or form that the files are different now from any time when they were created other than to add new material and they are intact and their integrity is not questioned. I will put that statement in the record.

Mr. PEURIFOY. May I revert to the question asked when I will make the report available and say that in the report there was a chart prepared by the FBI. This morning I received clearance from Mr. Hoover to read into the record a letter he wrote on this subject.

Senator TYWINGS. Go ahead. It may be read in the record.

Mr. PEURIFOY. This is a letter from the United States Department of Justice, Federal Bureau of Investigation, Washington, D. C., under date of June 14, 1950. It is marked "Personal and confidential, by special messenger." It reads as follows:

Hon. JAMES E. WEBB,

Under Secretary of State, Department of State,

Washington, D. C.

DEAR MR. WEBB: Recent newspaper articles have come to my attention containing statements made by Senator Joseph R. McCarthy, wherein he quoted excerpts from the State Department report prepared by Mr. Samuel Klaus of your department, which referred particularly to an alleged FBI chart.

The comments made by Mr. Klaus in his report concerning this alleged FBI chart, as they appeared in the newspapers, were completely erroneous. This Bureau did not send any such chart to the State Department, and, of course, made no evaluation of information as was indicated in the report. The author of the report took occasion to criticize the FBI in its report. This Bureau does not claim to be infallible; however, it appears that, if the State Department had any questions concerning the report, the matter should have been discussed with us at that time. I want to point out that the erroneous statements made by Mr. Klaus were highly embarrassing and prejudicial to the FBI.

As you are aware, this Bureau cooperates fully with your Department through established liaison channels. I thought you would be interested in knowing the true facts in this matter, and they are being furnished to you for whatever action you may deem desirable.

Sincerely yours,

J. EDGAR HOOVER, Director.

Mr. MORRIS. Was that a State Department document which you referred to?

Mr. PEURIFOY. Yes, sir.

Mr. MORRIS. Was that a State Department document, that FBI document?

Mr. PEURIFOY. Yes, sir.

Mr. MORGAN. Do you have any other documents or observations concerning security factors in the Department other than the statement you have read, sir?

Mr. PEURIFOY. I don't think so. I think anyone in this job of mine would be always conscious of the fact that the Soviet Union and its satellites perhaps prefer to penetrate the State Department over any other agencies in the Government.

Senator TYDINGS. Outside of the Department of Defense, probably.

Mr. PEURIFOY. That is right. Well, there are other agencies as for example the Atomic Energy Commission.

Senator TYDINGS. I would assume they would rather get in the Department of Defense.

Mr. PEURIFOY. But I say on that problem I think it is a problem which requires vigilance on our part continuously. We must be constantly on our toes, and insofar as humanly possible I am trying to do that job.

Mr. MORGAN. To your knowledge, Mr. Peurifoy, are any members of the Communist Party employed in the State Department?

Mr. PEURIFOY. No, sir.

Mr. MORGAN. What under existing regulation would be the procedure in the event it was ascertained members of the Communist Party were employed in the Department?

Mr. PEURIFOY. If I knew a member of the Communist Party was there, I would exercise the right that we have in firing him immediately.

Mr. MORGAN. Suppose there is a complaint, what happens then?

Mr. PEURIFOY. It depends on the seriousness of it. The employee would be suspended. Of course, I would obviously consult with the security people, and the chances are I would take their recommendations on it. They are dealing with it all the time. They would know whether there are other activities going on. They may not want to move right away on a certain case which might lead to somewhere else. It was just a matter of consultation. If they said a certain man was dangerous, he would be out.

Mr. MORGAN. What I want to know under existing regulations is it mandatory to dismiss a member of the Communist Party if it is established and then proven that he is a member of the Communist Party?

Mr. PEURIFOY. Not absolutely; but whether mandatory or not, I don't care whether mandatory or not I would get rid of him, but it is mandatory.

Mr. MORRIS. Mr. Puerifoy, what standard do you use to determine whether or not the man is a Communist?

Mr. PEURIFOY. We have the security standards which General Snow put in.

Senator TYDINGS. They are all in the record. I do not know whether you saw them or not. They were put in when we had the Loyalty Board before us.

Mr. PEURIFOY. But there might be other ways of expressing it. I would exercise my judgment in a matter of that kind.

Senator HICKENLOOPER. Mr. Peurifoy, I formed the impression from various sources and from various reasons that it is almost impossible to produce nowadays actual proof of membership in the Communist Party except in a few cases because the Communist Party has gone underground and physical proof is usually very difficult to find. I am also of the opinion that security risks, while it is a matter of judgment, it is far easier to establish a case of security risk. I think the exercise of that judgment in protecting the public interest is fully as important as trying to establish that an individual is an actual active member of the Communist Party or is not. The surroundings, circumstances, conduct, or associations or historical activities of individuals finally decide the question of whether or not in good judgment that person is a security risk.

I frankly am of the opinion in our Government departments, which is the State Department as well as other departments, that we have leaned over backward in the exercise of that judgment to protect individuals, and we have done it to the prejudice of the interests of the public. In other words, our Loyalty Boards have held too rigidly to the "proof beyond all reasonable doubt" theory, which is the way we use in criminal cases. They have demanded a greater degree of proof than is often possible to produce, and frankly in some of the departments they are very sensitive and they have kept people on where the evidence seems strong that they are a bad security risk. Even in your own Department you have kept them on because of the failure to be able to produce unquestioned proof of overt acts of disloyalty or unquestioned proof of membership in the Communist Party. I think we have gone on this pseudo-liberal philosophy in this country and all the things that this raises when a hue and cry is raised about it to the point where we are not vigorous in many cases in safeguarding the over-all, overriding public interest.

I am not throwing that solely to the State Department, but I have read some of these files. I haven't been able to read them all, and I don't hesitate to say on this record that the ones I read I would say almost without exception I would not keep them in the State Department. I would not have them around. They just did not smell good to me based on the evidence and their associations, as a matter of individual attitude and judgment. Maybe I am going too far on that line; I do not know. I realize there are administrative problems that are difficult to meet. That is true, but we are dealing with a pretty big thing here in the administrative part of the Government, which is very, very important.

I have reached the conclusion that in protecting the public we have got lost in the woods of confusion through thinking about private rights. All of us have constitutional rights, but there is no over-all public clearance in the public interest. I can't avoid that conclusion in many cases.

Mr. PEURIFOY. May I say a few words?

Senator TYDINGS. Is this on the record?

Mr. PEURIFOY. Yes, sir. I think you probably know where I come from and my background. My people came to this country in 1619 on the *Mayflower*.

I don't think that makes a person any more loyal than someone else who may have just became a citizen, but I just want to also say I went to the United States Military Academy, where I do not believe they teach Communist beliefs; and my whole background is against this philosophy.

I myself believe anyone who believes in communism does not believe in God. I may go further than some people, but that happens to be my own personal belief.

I started in the State Department as a clerk. I believe and I think it is a privilege to work for this Government. I don't think it is a right to work for this Government. I believe I am a servant of the people. I try to regard it that way so that I regard the Appropriations Committee and the Foreign Affairs Committee as my board of directors and I am the general manager, and when they call me up before them I am in that capacity. So, I only want to say that my whole feeling, my whole instinct, is opposed to anyone who is sabotaging this country or the Department or its institutions. Off the record.

(Discussion off the record.)

Senator HICKENLOOPER. Mr. Peurifoy, anybody who knows anything about your background knows there is no question but you are very vigorous and fundamental in your attitude toward it. There is no criticism of your personal attitude in this matter.

Mr. PEURIFOY. I understand it.

Senator HICKENLOOPER. I understand you cannot take every loyalty case and go through it personally and make a report. No one individual can. My observations were directed to the philosophy that seems to manifest itself on the attitude toward Government employees, and I would like to make it clear it is not alone in the State Department but in all departments of the Government. It is a philosophy that the Government owes somebody a job, and you have got to prove them guilty of a heinous crime in order to get him out.

Senator LONGE. I understand that in the FBI, if there is the slightest question or suspicion of any kind, that the party can be transferred from the job that he is going ahead with to another job, or he can be dismissed.

Senator TYDINGS. "For the good of the service."

Senator LODGE. Have you ever done that?

Mr. PEURIFOY. He is talking about in the FBI.

Senator LODGE. I will ask Mr. Morgan. He has been in the FBI.

Mr. MORGAN. Yes. My opinion for what it is worth is that the Bureau has taken very summary action in any cause where there was any question concerning an employee.

Senator LONGE. Any question of any kind?

Mr. MORGAN. That is right.

Senator LONGE. My question then is why should not the same policy be followed right along in the State Department?

Mr. PEURIFOY. I think, if there is was any reason to doubt someone, we should take steps to get rid of them.

I, myself, Senator Lodge, do not subscribe—my people disagree with me—I do not subscribe to the theory if you have something against someone that you transfer them to some other job. If that person is not qualified to do a job by reason of the question of his loyalty or security, I really don't think they should be in the Department.

Senator LODGE. Then you agree that the FBI method would be a good one?

Mr. PEURIFOY. I do think it is a good one.

Senator TYDINGS. All right. we will take a recess until 10:30 o'clock tomorrow morning.

(Thereupon, at 12 noon, the subcommittee recessed to meet on Thursday, June 22, 1950, at 10:30 a. m.)

STATE DEPARTMENT LOYALTY INVESTIGATION

THURSDAY, JUNE 22, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met at 10:30 a. m., in the Senate caucus room, room 318, Senate Office Building, pursuant to adjournment on Wednesday June 21, 1950, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, (chairman of the subcommittee, (Green, Hickenlooper, and Lodge, and Chairman Connally of the full committee.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Mr. Robert Morris, assistant counsel of the subcommittee; Mr. John S. Service, Foreign Service officer of the United States, Department of State, and counsel: Gerard D. Reilly, Esq., and Charles Edward Rhett, Esq., of the firm of Reilly, Rhett & Ruckelhaus.

Senator TYDINGS. The committee will come to order.

The chairman desires to make a brief statement.

It was intended yesterday that we would proceed today in executive session. Late last night I understand Mr. Service and his attorneys requested that he be heard in open session.

I did not know that until I arrived at the Capitol this morning, as I was up the country last night and only learned of it this morning.

It has been the announced policy of the committee that those who are charged in the open shall have the right to reply in the open if they request it.

We further believe it is good American policy to give a man a chance to answer in the open any charges made against him in the open. Anything else would violate the spirit of our whole constitutional form of government.

This is not a criminal trial but it has overtones here where a man's reputation and living are at stake to a large extent.

Therefore, when I heard this morning through our attorney that Mr. Service had requested that he be heard in open session the Chair felt he had no option except to grant the request in the American tradition and in line with the proceedings heretofore adopted in this committee.

I regret that I had to take precipitate action but as the hour of 10:30 was drawing near and I only heard it a quarter after 10, I hope I have not done anything wrong. I have done it in haste as the circumstances permitted me.

Senator LOROE. Mr. Chairman, I think it is regrettable that decisions are made as to holding public hearings without the consent of the committee.

There is not much point being on these committees if you are not going to have a chance in taking part in making these decisions.

I don't feel this particular matter before us, the solo question is the question of just one individual. I think there are a number of other factors involved.

It was decided to pursue this Amerasia investigation in private, for reasons which seemed to me excellent. I do not know how I would have thought of it if I had been given an opportunity, but I think it is a poor procedure to make decisions on these matters as important as this without consulting other members of the subcommittee.

Senator TYDINGS. I think that is a fair observation except I don't think the committee has any option but to grant an open hearing where an American citizen is under attack. It is not solely the Amerasia case but I understand the purview of the charges against him extend beyond that. Therefore I think the Chair could do nothing else but accede to his request as he is the man who has more to gain and lose by it.

Senator LOROE. Mr. Chairman, I think the American people have quite a bit at stake.

Senator TYDINGS. That is right.

Senator LOROE. And I am for doing justice to all people including Mr. Service, but that is not the situation here. This is the Amerasia case. On that the proper method to follow would be decisions by our committee. I do not see why we should be called upon to make these hasty decisions. I do not think it is the proper way to conduct these proceedings.

Senator TYDINGS. Mr. Service, do you solemnly proclaim and swear that the evidence you give now before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SERVICE. I do.

STATEMENT OF JOHN S. SERVICE, FOREIGN SERVICE OFFICER OF THE UNITED STATES

Senator TYDINGS. Take a seat, sir.

Give us your full name.

Mr. SERVICE. John Steward Service.

Senator TYDINGS. And your present occupation?

Mr. SERVICE. I am a Foreign Service officer of the United States.

Senator TYDINGS. And your present address?

Mr. SERVICE. National Hotel, 1 Street, Washington.

Senator TYDINGS. And how long have you been in the service of the State Department?

Mr. SERVICE. Since June 1943—excuse me, 1938.

Senator TYDINGS. Now, just for the purpose of identification, you are here with counsel.

Mr. SERVICE. I am.

Senator TYDINGS. I am going to ask your counsel if he will not identify himself for the purposes of the record?

Mr. REILLY. My name is Gerard D. Reilly. I have an office in the Tower Building. I have my assistant with me.

Mr. RHETTS. My name is C. E. Rhetts.

Senator TYDINGS. You are partners?

Mr. RUERTS. We are partners in the firm of Reilly, Rhetts & Ruckelshaus in the Tower Building.

Senator TYDINGS. Now, Mr. Service, I have before me what I presume is a formal prepared statement which I imagine you want to read. Is that correct?

Mr. Service. If I may.

Senator TYDINGS. If you read it we will try not to interrupt you for any extensive interrogation except for a date or something of that sort, so if you proceed to read your statement we will reserve interrogation until you have completed your statement. You may proceed.

Mr. Service. Thank you, Mr. Chairman.

Before I start may I say it has been my intention all along to cooperate to the greatest extent with this committee and to accede to your wishes in regard to the manner in which this investigation would be conducted.

When we learned yesterday that there were some requests, some feeling that these hearings be public, we were glad to request and so I made the suggestion. I understood from the press that none of the hearings were public and for my part we were glad to find the request that they be open.

Senator HICKENLOOPER. Mr. Chairman, I wrote a letter to the chairman of the subcommittee a couple of days ago suggesting inasmuch as this matter has been given great publicity and ballyhoed around I thought there were no reasons why since the matter was of such interest that it might be well to have Mr. Service appear in open hearing. So I am the member of the committee who made that suggestion to the chairman. I did not make it to Mr. Service but I made it to the chairman.

I have no objection to the letter going in the record if the chairman wants to insert it. I did make the suggestion and request.

Senator Lodge. But certainly I was somewhat amazed that the witness should know more about what was going on in the committee than a member of the committee.

Mr. Service. I read it in the press.

Senator TYDINGS. He said he read it in the press.

I do not think the witness knows what is going on in the committee. There is no evidence that he does. That is a pure assumption, Mr. Lodge.

Senator HICKENLOOPER. I think yesterday morning or perhaps in the afternoon in response to the request I said, "Yes, I have no objection to Mr. Service appearing before the committee in a public hearing," and I wrote to the chairman to that effect.

Senator TYDINGS. Let us get on with the testimony.

Senator GREEN. As I understood it after long deliberation the committee voted unanimously that there should be no further public hearings unless in case of an exception of anyone who had been accused publicly.

Senator TYDINGS. Yes, and that is the case here. Mr. Service served notice he wanted to be heard publicly.

Senator HICKENLOOPER. Very well.

Senator TYDINGS. Go ahead, Mr. Service.

Mr. Service. First, I wish to thank this subcommittee for this opportunity of appearing before you. As an American citizen, there is nothing more important to me than my good name and reputation for loyalty. As a servant of the American Government, I am also naturally anxious to assist, so far as I have relevant knowledge, in clarifying matters which are under investigation by your committee and in answering the various charges which, if true, would cast grave doubt on my suitability for office and reflect on the integrity of our Government.

The various charges against me relate to two periods: first, my duty from 1943 to April 1945, as a Foreign Service officer attached to the staff of the commanding general of the United States forces in China; and second, the period from April to June 1945, during which I met Philip Jaffe and Mark Gayn for the first time and thus, unluckily, became innocently involved in the so-called Amerasia case.

I should like to describe for this committee something of what I was doing during these periods—why I was doing it and under what circumstances.

I joined the Foreign Service in 1933 and after preliminary studies as a language officer in Peiping from 1935 to 1937, and an intensive period of combined study and practical service in the American consulate general in Shanghai under the then consul general, Clarence E. Gauss, I volunteered early in 1941 for assignment to the American Embassy at Chungking, of which Ambassador Nelson T. Johnson was then Chief. Within a short time Ambassador Johnson was succeeded by my former chief, Mr. Gauss, as Ambassador. I served under him for a period of approximately a year and a half as third secretary of the Embassy. During this period it was my good fortune to serve in a direct association with Ambassador Gauss as a general intelligence officer engaged in gathering political information from every available source in a highly complex political community. By this I mean that my "beat" included every shade of political opinion and person—ranging from the Foreign Office of the Chinese Government through the Chinese press to the representatives, officially recognized by the Chinese Government, of the Chinese Communist Party.

Considering the circumstances of my presence before this committee, I will perhaps be forgiven if I quote directly from former Ambassador Gauss as to the nature and quality of my performance as a servant of my Government at this time. I quote his testimony during the course of my hearing before the State Department loyalty security board.

This is Mr. Gauss answering—

Senator HICKENLOOPER. At this point, Mr. Chairman, I suggest as orderly procedure if the witness cares to bring in part of the testimony before the State Department loyalty security board that I reserve the right to raise the question as to whether or not the entire testimony before the loyalty board shall be brought in. It is entirely up to the witness. I don't waive my right at this moment.

Senator TYDINGS. All right.

Mr. Service. It is my hope to be able to introduce the entire transcript of my hearing before the State Department loyalty board.

Senator TYDINGS. All right. Go ahead.

Senator Hickenlooper's position will be noted in the record.

MR. SERVICE. This is what Ambassador Gauss said, answering:

Answer. Now, I would like to go very positively into that particular question because the only thing that I know about of Mr. Service—of complaint against him—is the McCarthy statement that he associated with Communists. In Chungking Mr. Service was a political officer of the Embassy. His job was to cover the water front. His job was to get every bit of information that he possibly could, and he went over to the Chungking side of the river every day and he saw everybody that he could. Now it was difficult to get information in those days. We had a censorship. They had all these wonderful stories about Chinese victories which never proved to be true. (They) used to give out this information to the press and your Chinese press was censored, you couldn't get information, you had to go out and get it yourself. Jack Service's job was to go over to the other side of the river and to see everybody that he could. He would see the foreign press people. He saw the Chinese press people. He saw anybody in any of the embassies or legations that were over there that were supposed to know anything. He saw any people in the Foreign Office or any of the other ministries. He went to the Kuomintang headquarters and talked with whoever he could see there. He went to the Ta Kung Pao, which was the independent newspaper. He went to this independent newspaper, he was in touch with those people. He went to the Communist newspaper. He went to Communist headquarters. He associated with everybody and anybody in Chungking that could give him information, and he pieced together this puzzle that we had constantly before us as to what was going on in China, and he did a magnificent job at it.

Question. His contact with the Communists at that point was strictly in accordance with his official duties?

Answer. Strictly in accordance with his official duties. I didn't tell him to go there, but I expected him to go there, that was his job, and you didn't have to tell Jack Service what his job was, or how to do it. He did it. I would like to make that very plain (transcript of proceedings, Loyalty Security Board, in the case of John S. Service, Saturday, May 27, 1950, 2-5:30 p. m., pp. 9-11).

In the summer of 1943, at the request of Gen. Joseph Stilwell, Secretary of War Stimson arranged with the State Department for me to be detached from the Embassy at Chungking and to be attached to General Stilwell's staff. I continued to serve on the staff of the Commanding General of the China-Burma-India theater from August 1943 until my eventual recall from China in April 1945, at the insistence, I am told, of the then Ambassador, Patrick J. Hurley. It is of considerable importance in connection with my presence here today to emphasize that throughout this period I was responsible not to the American Ambassador but to the commanding general—first, to General Stilwell and, after October 1944, to General Wedemeyer, and that I never received any indication or intimation from either of them that my services or my political reports were anything but satisfactory. In fact I was commended by both of them for my work.

My duties and activities during this period can be appraised only against the background of that time and of the military and political situation then existing in China. It has been said with much justification that the China-Burma-Indian theater was a relatively minor military theater of operations during the war but that it was most complex military political theater of any involved in the war. China was a theater of vast military potential in the war against Japan but at every point the realization of that potential was conditioned by and dependent upon the political factors. I cannot, within the permissible bounds of this testimony, attempt to describe all of these political aspects of the Chinese situation in relation to the war against Japan.

My own part in the American organization in China was by no means important. General Stilwell had an extensive knowledge of

China based on roughly 20 years of service in that country. Although I was privileged to count General Stilwell as a friend, neither I nor anyone familiar with the situation regarded myself as an intimate of the General's or as an important or significant influence on his thinking. As a matter of fact, on the largest political issues of the time, I shared and, as a very junior member of his staff, sought to implement his views as to the best means of winning of the war and serving American interests in China. I could not be so arrogant as to suppose that I was the originator of those views, or so foolish as to have attempted to impose them on the General.

My actual duties were various. I was never fully integrated into the military staff and, in the rather informal way characteristic of the theater, performed differing functions from time to time wherever my services could be most useful. Primarily, I acted as a political intelligence officer in connection with certain assigned subjects of direct concern to the prosecution of the war. One of these fields which I was under specific instructions to cover, from the very beginning of my assignment, was intelligence concerning the Chinese Communists.

I served as consultant to headquarters staff sections requiring background information relative to the highly complex Chinese political scene in which we had to operate. I assisted in liaison with the Embassy, with other American agencies, and with Chinese individuals and organizations.

In accordance with General Stilwell's wishes, I maintained close relations with the representatives in China of the American press to the end that the public interest would be served by intelligent understanding of the situation as it affected and influenced the war effort in China.

As the war progressed into 1944, several developments in China reached a point which could not but cause concern to the American commander and the American Government. Without minimizing the 7 years of war, hardship, and isolation which China had undergone, the situation in that part of the country controlled by the Central Government showed signs of such deterioration—caused in considerable part by misgovernment—that its continued ability effectively to oppose the Japanese was clearly in doubt. This was a matter of immediate concern because of the series of determined Japanese campaigns commencing in April 1944 to seal off eastern China and seize our advanced air bases.

At the same time, the Chinese Communists, by astute use of united-front tactics and by mastery of guerrilla warfare suited to Chinese rural conditions and their own limited resources, were rapidly expanding their areas of control behind the Japanese lines. Their success in this difficult type of warfare and their ability to outcompete and exclude the Central Government from any important power in these areas was a clear indication that they were becoming the more dynamic force in China.

Unfortunately for the war, tension between the two parties mounted as the Central Government became more concerned over the growing strength of the Communists. A considerable part of its best forces were diverted to maintaining a rigid blockade of the Communist areas. The threat of these forces impelled a balancing immobilization of Communist forces. Far from there being cooperation, neither

Chinese army was willing to exert its maximum effort against the Japanese.

The areas of Communist control were becoming increasingly important to American military operations. They adjoined the principal Japanese continental base of Manchuria, lay along much of the China seacoast, straddled the Japanese land communication lines (now vital to the Japanese because of the success of our attacks on their shipping), and were close to the principal Japanese concentrations in China. Furthermore, the expansion of our air operations and the use of bases in west China for the initial B-29 strikes at Japan and Manchuria meant that we would be operating over hundreds of miles of Communist-controlled territory. In addition to order-of-battle and other intelligence regarding Japanese dispositions and defenses in north China, it also became vital therefore to set up facilities such as weather reporting and rescue of ground crews. Experience had demonstrated the inability of the Central Government adequately to provide these services where the Communist areas were concerned. American military requirements dictated the need for direct American access to the Communist areas.

Under Army instructions I insisted in the negotiations which were finally successful in June 1944, in obtaining Central Government permission for United States Army intelligence teams to enter the Communist area. And after consultation with and approval of the Embassy and the Department of State, I was ordered by the Army to proceed with the first group to the Communist base at Yenan for the purpose of collecting political intelligence regarding the Chinese Communists. There was nothing "highly secret" about this mission. Nor was it "shepherded" by me. It was an Army group, under the command of a colonel of the Regular Army, to which I was attached in a subordinate capacity.

Much has also been said about my contacts with Chinese Communists. Active cultivation of these contacts was a basic and vital part of my full-time assignment during this period, which was to learn all that I could, for the benefit of the American Government, concerning the Chinese Communists. Professionally, as an intelligence officer, it is a matter of pride rather than apology that I was able through these contacts with all of the important Communist leaders from Mao Tse-tung down, to obtain valuable first-hand information for which I have been commended by both the Department of State and the United States Army.

During the war, the first objective of American policy—in China as elsewhere—was to win the war as rapidly as possible and with the greatest saving of American lives. The noncooperation of the principal Chinese forces, even in the face of the grave Japanese threat in the summer and autumn of 1944, was a serious impediment to the war. Commencing in July 1944, therefore, the President of the United States recommended that General Stilwell be placed in command of all Chinese armies as a practical means of furthering a more effective prosecution of the war and of meeting the Japanese attack. This proposal, which necessarily involved American command and some supply of the Communist forces, was agreed to in principle by Generalissimo Chiang Kai-shek in July 1944.

Beyond the winning of the war, American policy sought to promote the emergence of a strong and independent China, friendly to the United States and not subservient to any other power. The developing contest for power within China not only caused a stagnation of the war effort, it also pointed toward a civil war which would be disastrous for the economic recovery of the country, which would drive both factions to extremes resulting in the elimination of moderate liberal groups which we hoped would be the leaders of the country, and which, in view of the trend within China, would probably end in a complete Communist victory. In such a civil war, our military support of the Kuomintung Party would have the effect of driving the Communists, who at that time showed hopefully independent nationalistic leanings, into the arms of Russia. Furthermore, unless the Kuomintang reformed itself sufficiently to regain the popular support which it was losing, there was no hope that our aid to it—beyond that necessary for actual prosecution of the war—would be successful. Such aid, even though of highly doubtful success would have involved a huge and incalculable commitment of American funds and resources. Almost certainly it would have involved large American forces—a sacrifice which the American people have not even yet shown an indication of willingness to accept.

If I can interpolate, perhaps in view of all that has happened in China, this looks like hindsight, but I hope that this committee will have a chance to see some of the reports which I wrote commencing in 1943, saying exactly these things, and pointing to the danger of the situation in China.

American efforts, therefore, were directed toward persuading the Kuomintang to strengthen its own position by reform and, when this persuasion proved of little effort, to promoting a peaceful compromise between the two parties which might avert the calamity of civil war, which in turn could only contribute to Soviet domination.

It was to carry out this policy of fostering military and political unification that both General Hurley and General Marshall went to China and devoted great time and effort. I was not the originator of this policy—which was determined by the President on the advice of his principal political and military advisers. However, I did and still do believe that the policy was the best one for American interests and the only practical choice which we had under the circumstances. As an American intelligence officer in the field I observed the progress of our efforts to implement that policy and it was a part of my duties to make recommendations from time to time, in the light of changing circumstances, as to the best means of achieving that policy.

Debate on this policy, never carried to fruition but designed to prevent exactly what has happened in China, has continued. Chinese and other critics of General Stilwell realized that from the point of view of public relations in the United States it was not politic to attack directly an American four-star General. The attack was therefore frequently directed at the General's presumed "advisers." I have long been well aware that I have been persona non grata to General Chiang Kai-shek and many of his advisers and supporters.

But it is important, I think, for me to emphasize that I was primarily a reporter and never a policy-forming officer—although from time to time I expressed to my superiors my views on policy

matters. My reports and expressions of views, however, should be available to this committee and will demonstrate, I am satisfied, that they were entirely in consonance with American policy.

In this connection I might point out to the committee that during the course of my preparations for a hearing before the State Department Loyalty Security Board, I requested the State Department to attempt to locate such of my actual reports and memoranda prepared during this period as were transmitted to the Department by the Embassy in Chungking. Reports have appeared in the press that the State Department was making available to me my loyalty files and other materials denied to this committee. I may say that no such material has ever been furnished me and that what I sought was copies of my own work product so that my reporting might be critically examined by objective experts and by the loyalty boards to ascertain whether this reporting lacked objectivity or evidenced political bias or a disposition to sabotage American foreign policy or any of the other things with which I have been charged. I should suppose this material would be available to this committee. In any case, I hope so, for I think it should be the first resort of anyone seeking to ascertain the objective quality of my work as a servant of the Government as well as the extent to which I may ever have evidenced a friendly disposition toward Soviet communism.

At the request of the Loyalty Security Board, Mr. George F. Kennan, who is Counselor of the State Department, and, I believe, is recognized both as an authority on communism and as one of its staunchest opponents, studied each of the memoranda and reports prepared by me during the period from May 1942 to March 1945, which could be located in the files of the Department. These number in excess of 125 separate memoranda. Because of its important bearing on this question I should like to make available to the committee for its use the entire transcript of his testimony on the results of his study of these reports.

On the basic question of the objectivity of my reporting and its freedom from any political or ideological predilections for communism, Mr. Kennan concluded:

"My conclusion is the following: I find no evidence that the reports acquired their character from any ulterior motive or association or from any impulse other than the desire on the part of the reporting officer to acquaint the Department with the facts as he saw and interpreted them. I find no indication that the reports reported anything but his best judgment candidly stated to the Department. On the contrary the general level of thoughtfulness and intellectual flexibility which pervades the reporting is such that it seems to me out of the question that it could be the work of a man with a closed mind or with ideological preconceptions, and it is my conclusion that it was not. (Transcript of Proceedings, Loyalty Security Board, in the case of John S. Service, May 29, 1950, 1:45 to 5:30 p. m., p. 36.)

In December 1945, Mr. Patrick J. Hurley resigned as Ambassador to China and in statements to the press and in the course of hearings before the Senate Committee on Foreign Relations on December 5, 6, 7, and 10, 1945, charged that certain Foreign Service officers, of whom I was one, sabotaged American foreign policy in China, sided with the Chinese Communists, sought to bring about the downfall of Chiang Kai-shek's government, and improperly communicated Government information to Chinese Communist Party officials.

A fair reading of the transcript of the hearing of the Senate Committee on Foreign Relations where those charges were made and probed by Senators Connally, Vandenberg, Bridges, La Follette, and others, will disclose, I believe, that Mr. Hurley was unable to sustain them. They were refuted by the then Secretary of State, James F. Byrnes, who, at one point said—and I quote from the testimony of Secretary of State Byrnes:

The specific action of John Service to which Ambassador Hurley referred to in his conversation with me was the preparation of a memorandum on October 10, 1944. I have also read this memorandum.

Before I turn to its contents, I wish to call attention to a few facts, as they have been presented to me. At the time this memorandum was prepared by Mr. Service, he was not attached to the Embassy at Chungking. Although he retained his status as a Foreign Service Officer, he was attached to the staff of General Stillwell as a political observer in Yenan. He was at the time administratively responsible to General Stillwell and not to the Embassy.

* * * * * Ambassador Hurley, as of that date was not in charge of the United States Embassy at Chungking.

Under these circumstances, it seems to me, it cannot be said that anything Mr. Service wrote constituted insubordination to Ambassador Hurley.

* * * * * The Service report was addressed to General Stillwell. It was also routed to the Embassy in Chungking. The Embassy forwarded it to the Department without endorsing its conclusions, but with a noncommittal covering memorandum indicating that it represented the views of a single political observer.

* * * * * It is not my purpose to dwell at greater length upon the two documents.

And in this connection Secretary of State Byrnes was also referring to a second document which was a telegram which had been sent to the Department of State by Mr. George Atcheson, in charge of the affairs of the Embassy at Chungking. This is continuing with Secretary of State Byrnes' statement:

In my opinion, based upon the information which has thus far been presented to me, there is nothing in them to support the charge that either Mr. Atcheson or Mr. Service was guilty of the slightest disloyalty to his superior officers.

What it amounts to is that within proper channels they expressed to those under whom they served certain views which differed to a greater or less degree from the policies of the Government as then defined. Of course, it is the duty of every officer of the United States to abide by and to administer the declared policy of his Government. But conditions change, and often change quickly in the affairs of governments. Whenever an official honestly believes that changed conditions require it, he should not hesitate to express his views to his superior officers.

I should be profoundly unhappy to learn that an officer of the Department of State, within or without the Foreign Service, might feel bound to refrain from submitting through proper channels an honest report or recommendation for fear of offending me or anyone else in the Department. If that day should arrive, I will have lost the very essence of the assistance and guidance I require for the successful discharge of the heavy responsibilities of my office. (Statement of Secretary of State James F. Byrnes; hearings before Senate Foreign Relations Committee, December 5, 6, 10, 1945 (pp. 108-100)).

In the course of his testimony before the Senate Foreign Relations Committee in 1945 General Hurley also repeatedly charged that I and other Foreign Service officers improperly communicated to members of the Chinese Communist Party classified Government information. At this hearing General Hurley was unable to point to any specific example of such improper activity. In fact, under question-

ing by Senator Connally, General Hurley could only point to the fact that I had written a memorandum addressed to the commanding general of the theater as evidence of the fact that I had shown this document to members of the Chinese Communist Party (see transcript of hearings before the Senate Foreign Relations Committee, p. 180). When questioned on this same point, Secretary Byrnes could only respond that he had seen no evidence to support such a grave charge as that preferred by General Hurley (see transcript of hearings before the Senate Foreign Relations Committee, pp. 199-200, 219, 220, 223, 229). As I have stated before the Loyalty Security Board and as I repeat here, these charges by General Hurley are false.

Despite this exhaustive inquiry into his charges by the Senate Foreign Relations Committee in December 1945, and despite the fact that he declined an invitation by the State Department Loyalty Security Board to appear and testify before it during my recent loyalty hearing, it appears that General Hurley has repeated these unfounded charges in a statement released to the press a few days ago. According to a news story appearing in the Washington Evening Star for Tuesday, June 20, General Hurley has named me as one of the persons who supplied Chinese Communist Leader Mao Tse-tung with secret information in 1944. General Hurley has also reported to have stated that the "sabotage" directed against him was "only the secondary policy of this group" (referring, evidently, to unspecified other persons and myself). General Hurley is reported to have added:

The group was opposed to individual liberty, free enterprise, justice and government by the people. They were in favor of imperialism, or communism, and totalitarianism. The purpose of the group primarily was to sabotage the American system of government and the American policy in China.

These charges, repeated in the face of all the evidence which refutes them, are as false today as they were when they were uttered in 1945 and when they were repeated by various persons, including Congressman Judd (Congressional Record, October 19, 1949, p. 15283), Congressman Dondero (Congressional Record, December 10, 1946, p. A5403-A5404; February 5, 1946, p. A515); the magazine, Plain Talk (October 1946), Senator McCarthy on the floor of the Senate (Congressional Record, January 5, 1950, p. 90), and before your committee (transcript of hearings, March 14, 1950) and again on the floor of the Senate (Congressional Record, March 30, 1950, p. 4437, et seq.).

It is interesting to note that a major portion of the charges which have been leveled against me stem directly or indirectly from these original charges made by General Hurley. As I have indicated, they have been repeated over and over again, despite their refutation. One such instance was in an article purportedly written by Mr. Emmanuel S. Larsen which appeared in the magazine Plain Talk for October 1946. Mr. Larsen is a former employee of the State Department and one of those who was arrested in connection with the Amerasia case. He was indicted, and eventually found guilty. In his charges before the Senate and before your committee, Senator McCarthy relied upon and quoted extensively from this Plain Talk article entitled "The State Department Espionage Case." Mr. Larsen was one of the witnesses who appeared at the invitation of the State Department Loyalty Security Board as a witness in my recent Loyalty Board hearings.

Under cross-examination Mr. Larsen repudiated the authorship of this article in Plain Talk almost paragraph by paragraph and testified that the material which appeared was largely written by Mr. Isaac Don Levine or Mr. Ralph Toledoano.

It may also be interesting to note that in his testimony before the Hobbs committee on May 13, 1946, Mr. Larsen testified:

* * * They went to lunch. They had their meetings. I was with them at some lunch meetings where they talked openly about defeating this crowd like Hurley, do everything to get him out. They sabotaged Hurley. You may take my word for that. They sabotaged Hurley. I have given certain little notes and evidence to Hurley that I had committed to memory and helped him with his speech. It was a pity he did not launch it more systematically. He spoiled that for me (80 Daily Congressional Record, 7648, column 2, May 22, 1950).

In his sworn testimony in the course of my Loyalty Board proceedings Mr. Larsen testified as follows on cross-examination:

Question by Mr. RHEEKS: Now I draw your attention particularly to your statement. By the way, your testimony before the Hobbs committee was that under oath, do you recall?

Answer. No; I don't think it was. It was a little—a very friendly little party. We sat around a small table all in easy chairs. I think we were six or seven altogether, and just chatted. There was no, as far as I remember—I was not at a committee testifying in the full sense of a committee being in session. It was more that they had invited me in to talk it over with me.

Question. They evidently made a transcript of the testimony, did they not?

Answer. Now, that; I don't know. I don't remember anyone there taking notes.

Question. Well, the material before you purports to be the questions and answers recorded at that time, does it not?

Answer. It appears so, yes.

Question. Now, in that you stated to the committee that the committee could take your word for it that—you state: "You may take my word for that. They sabotaged Hurley." Now to whom were you referring by "they"?

Answer. I can't answer that because I am not sure what the conversation was about. I am reading back here: "You may take my word for that. They sabotaged Hurley." It is rather incoherent, some of this stuff here.

Question. Did you intend to refer to Mr. Service as one of the persons, one of the antecedents of this pronoun "they"?

Answer. I think that would be unwise for me to say now, inasmuch as I don't remember the details of this here.

Question. Well, why don't you read it over with some care and see?

Answer. Yes, I have read it over.

Question. You have read it over?

Answer. But there is a possibility that I referred to Mr. John Carter Vincent and Mr. Service, there is a possibility.

Question. Well, now, will you tell the Board what evidence you had that Mr. Service, or anyone else for that matter, but Mr. Service, in particular, sabotaged Hurley?

Answer. Well, I believe they asked me about Hurley's testimony before the Senate committee in December 1945, and they asked me whether I had any knowledge of conversations or other intentions to get rid of Hurley.

Question. Well, on that point there is no indication in that testimony that they asked you that, is there?

Answer. I have a feeling that this is written from memory and I think they should be asked to produce some sort of a statement before they put this down as legal and dependable testimony. I have not been through this, as I said, and I have been advised by an attorney to make no comments on it, and I think I shall follow that advice.

Question. Well, I ask you again what evidence did you have that Service did, in fact—well, I will ask you this: Did you or did you not make the statement that is ascribed to you here, namely: "You may take my word for that. They sabotaged Hurley."

Answer. No, I don't think I will answer that question for the simple reason that I don't know for sure. If I had a copy of my testimony—and I am sure

you gentlemen will agree with me—if I had a copy and I was certain that that was what I said I would say so, I would have to say so. But I am not certain and I don't want to incriminate myself and make a statement now about something which does not satisfy me.

Question. All right, let me ask you this: Did you, in fact, all apart from whether this is or is not an accurate transcript of the testimony you gave—did you, in fact, have any evidence that Mr. Service ever sabotaged Hurley?

Answer. I have no evidence that he did sabotage Mr. Hurley, but I have a slight indication that he didn't like Mr. Hurley.

Question. What indication did you have?

Answer. Well, for instance, he attended a lunch one time. We went to the Tally-Ho restaurant. Mr. John Carter Vincent sent me a note and asked me whether I wanted to go to lunch with him, and I am not sure whether I walked over with Mr. Service or just with Mr. John Carter Vincent. But, anyway, we had lunch together and after we had put our trays down Mr. Vincent mentioned something to the effect that Hurley was making a thorough ass of himself, and that it was about time we thought of some way of getting rid of him. I don't remember my exact answer, but I believe I said something to the effect that, well, I was new in the State Department and I was only a country specialist, and that I would start to hire and fire ambassadors when I became Secretary of State.

Mr. Stevens.—

He was a member of the Board interrogating him then—asked the question:

Let me see. You went to lunch with Mr. Vincent. Who else was at that lunch?

Answer. I remember Mr. Service was there. I don't remember whether Mr. Emerson, or who it was—some third person went with us.

Mr. STEVENS. Have you any idea as to the time? Can you fix a time in there?

Answer. Sometime in April 1945.

Questions by Mr. Rhetts:

Question. What did Mr. Service say on that occasion?

Answer. I don't think he said anything.

Question. What basis can you have for the conclusion that Mr. Service didn't like Mr. Hurley?

Answer. Mr. Hurley told me that he believed they had worked against him in the field.

Question. Well, on that occasion, on the occasion of this luncheon there was nothing that occurred that led you to believe that Mr. Service didn't like Mr. Hurley?

Answer. Except the fact that he was present there.

Question. The fact that he was present at the luncheon at which Mr. Vincent made this remark?

Answer. And that I do not remember him making any statement to the effect that he didn't want to be a party to that.

Question. Did you have any other basis for believing that Mr. Service tried to sabotage Mr. Hurley?

Then the answer by Mr. Larsen was:

No; I don't remember now any other basis. (Transcript of proceedings, Loyalty Security Board, in the case of John S. Service, June 2, 1950, 2:07-5:30 p.m., pp. 11-16.)

I should like to make available to the committee the full transcript of the examination and cross-examination of Mr. Larsen before the State Department Loyalty Security Board. Examination of this will also, I suggest, remove any question that Mr. Larsen was in any way appearing as a friendly witness in that proceeding on my behalf. This transcript will, I believe, convince the committee that so far as I was concerned he was treated as a hostile witness.

Despite the sworn testimony which I have just quoted, the news story in the Washington Evening Star for June 20 referred to above indicates that Larsen repeated before your committee on the follow-

ing day the charge that I, among others, sought to "sabotage" Mr. Hurley.

I should like to turn now to the so-called Amerasia case, in which it was my misfortune to become innocently involved.

During my approximately 12 years of service in China, I had occasion to return to the United States for a few brief periods of home leave. One of these, after a period of a little more than 5½ years in China, occurred in October of 1938 when I was in the United States for a little over 2 months. With the exception of about 2 weeks during which I was on consultation in the Department of State here in Washington, I spent this leave with my family and relatives in California.

Again in December 1942, after approximately 3 years of further duty in China, I returned to the United States for a period of approximately 3 months, of which 1 month was spent in consultation in the Department of State in Washington and the remainder was spent with my family in California. I returned to Chungking in April of 1943, and did not return to the United States again until the end of October 1944. At this time I remained in Washington for approximately 3 weeks, then visited my family in California for about 6 weeks, and returned to Chungking on detail to General Wedemeyer's staff, leaving Washington about January 7, 1945.

According to the recently released testimony of Mr. Frank Bieluski before the Hobbs committee on May 10, 1946, Mr. Bieluski conducted a raid on the offices of Amerasia on the night of March 10, or the early morning of March 11, 1945. Mr. Bieluski was then employed in the Office of Strategic Services and it appears that a larger quantity of classified Government documents and copies was found in the offices of Amerasia at that time. Then, and for many months prior thereto, with the exception of the short period of leave which I have just referred to, I had been stationed in China. From March 9 to April 4, 1945, I was at Yenan under Army orders for the purpose of collecting political intelligence. On this latter date, I received instructions to return to Washington, which I did, reaching Washington on April 12, 1945. I call attention of this sequence of dates because it seems obvious that the raid by the offices of Strategic Services on the premises of Amerasia on March 11, 1945, demonstrated that whatever channels Mr. Jaffe had for obtaining official documents were already in existence and functioning very well indeed. At that time I was almost as far from Washington or New York as it is possible to be—in Yenan, which is in the northwest part of China. At that time I also had never met Mr. Jaffe or Mr. Gayn or Mr. Larsen or Miss Mitchell, and I had had only a casual introduction to Lieutenant Roth.

According to a news story appearing on page 1 of the New York Times for June 17, 1950, Mr. D. M. Ladd, Assistant Director of the Federal Bureau of Investigation, has testified before your committee that on April 18, 1945, 6 days after my return to this country, the FBI had notified the Department of State and the Navy Department that it was prepared to submit the Amerasia case to the Department of Justice for its approval of the arrest of the suspects who had been under surveillance. Such action by the FBI indicates that by that date, having commenced its investigation a little more than a month earlier—on March 14, 1945—the FBI was satisfied that it had solved the case and had ascertained the channels by which docu-

ments were apparently flowing into Jaffe's possession. I could not possibly have been one of those suspected at that time.

On that date, I had never met Jaffe and it was only on that date, coincidentally, that I met Mark Gayn for the first time in my life. When I did meet Jaffe on the next day, April 19, 1945, I did so under the impression that I was meeting a journalist, whose name was known to me, in the same manner as I had occasion to meet and talk to many journalists and representatives of the press. I had no notion or reason to believe that I was meeting a man who was then under constant surveillance on suspicion of espionage. My association with him thereafter naturally made me an object of suspicion and ultimately led to my arrest on June 6, 1945. I should like, therefore, to describe in some detail to the committee the nature of my association with Mr. Jaffe and the other persons who were concerned.

There was nothing exceptional about my meeting and becoming acquainted with Jaffe, Gayn, and the other persons involved in the Amerasia case. They were all specialists in the Far East, either as magazine writers or as Government employees. I was a Foreign Service officer recently returned from China where I had had probably more opportunity than any other American to observe the Chinese Communists, then very much in the news because of the deteriorating situation in China and the American efforts to promote military and political unification there.

After my return to Washington, I had been placed temporarily on consultation, as was customary with officers coming from active field posts. The purpose of this was to make my fresh knowledge quickly available to officers of the Department of State and the numerous other Government agencies concerned with China.

It was also, and still is, the policy of the Department of State that reputable representatives of the press are to be supplied with sufficient background information about events abroad so that the American public may be intelligently informed. During this period, therefore, I discussed background information concerning China with a considerable number of writers and journalists. Some of these, not knowing me personally, were sent to me through the Department's press-relations office. Others knowing me personally or having mutual friends—the number of writers specializing in the Far East is not large—got in touch with me more directly. This also is customary and not in contravention of regulations.

On April 18 I received a telephone call from Mark Gayn. I had never previously met him but had known a good deal of him as we shared a China background. I had read at least one of his books and seen articles on the Far East which he had written for Collier's. On this occasion, he told me that he was planning a series of articles for the Saturday Evening Post. During a lunch together, he said that he had an extra bed in his apartment in New York City which he would be glad to have me use if I ever visited that city.

About this time, I had received an invitation from Lt. Andrew Roth, whom I had met the previous November on an occasion when, at the request of my superiors in the State Department, I had given a talk on Chinese affairs at the Institute of Pacific Relations in Washington. Roth invited me for supper at his home on the evening of April 19. Roth was a naval officer and I knew him to be assigned to

the Office of Naval Intelligence where he was engaged in intelligence work relating to the Far East. I had no reason to believe I should be suspicious of Lieutenant Roth or of any journalist to whom he might seek to introduce me.

During that day of April 19 he telephoned me, saying that Philip Jaffe was also going to be at his home that evening but was anxious to meet me before then, since there would be a number of people at the party and probably little opportunity to talk. Roth asked that I telephone Jaffe at his hotel and I did so. I knew of Jaffe as the editor of Amerasia but I had never previously met him nor had any contact by correspondence or otherwise with him. However, as he was the editor of a well-known specialist magazine on the Far East, I saw no reason why I should not meet and talk to him on a background basis as with any other reputable newspaperman or writer. The only time that we found convenient was for me to stop at his hotel in the late afternoon and go together to Roth's dinner.

In view of the later unhappy consequences of my meeting with Mr. Jaffe, I think I should emphasize at this point that my meeting with him was in no sense abnormal, since it was entirely conformable to the policy concerning relations with the press which I had pursued under instructions in the field attached to General Stilwell's headquarters and also the policy of the Department permitting Foreign Service officers to provide background information to members of the press.

When I prepared to leave the office before going over to Jaffe's hotel, I had on my desk a number of my personal copies of memoranda written during my last visit at Yenan. Among these was a report of an interview with Mao Tse-tung about the end of March, in which Mao had given details of the current Communist position and the probable line to be taken at the forthcoming Communist Party Congress.

SENATOR TYDINGS. When you say, "Communist position," do you mean political or military?

MR. SERVICE. I mean the Chinese Communist political position.

SENATOR TYDINGS. All right.

MR. SERVICE. It occurred to me that Jaffe would probably be especially interested in recent news from Yenan and particularly in recent statements of the Communist position in the controversy going on in China. I, therefore, took with me my personal copy of this memorandum which contained nothing except the Communists' own presentation of their position. During the conversation, Mr. Jaffe, as I expected, asked concerning the present Communist attitude and instead of trying to remember in detail, I let him read the memorandum which I had brought with me. Jaffe was extremely interested and asked at once if I did not have other similar reports about Yenan which it would be possible to show him. Since many of these memos were purely reportorial, containing only statements or observations available to and continually being obtained by newspapermen on the spot, I agreed to let Mr. Jaffe see some of this type of material. It was agreed that I would bring some of these with me the next day and that I would lunch with him at his hotel.

The following day I went through my personal copies of my Yenan memoranda and selected several—I think about 8 or 10—which

were purely descriptive and did not contain discussion of American military or political policy. These I considered it would be appropriate to allow Jaffe, as a writer on China, to see. I probably took these to the hotel in the early forenoon, expecting to pick them up at lunch. At lunch, Jaffe surprised me by saying that he had not had time to read the memoranda, that he was leaving Washington that afternoon and wished to take them with him for several days. After considerable discussion and in view of the nonpolicy and purely factual nature of the papers, I allowed Jaffe to retain them. It was arranged that I would pick them up when I expected to visit New York a few days later for another meeting with the Institute of Pacific Relations research staff there. I may add that this meeting was also authorized by my superiors in the Department of State and was one at which I discussed off the record the political background of affairs then prevailing in China.

These personal copies I refer to, and from among which I allowed Jaffe to see selected ones of a descriptive nonpolicy nature, were some of my file copies of memoranda which I had written in China over my own signature, recording my own observations and conversations as a reporter. They did not represent, nor purport to represent the views of the Embassy, the Army, or the Department of State. They bore only the unofficial classification which I placed on them when I wrote them, a classification which by this time was of no significance since the information contained in them had been extensively reported by American newspaper correspondents who had visited the Communist areas. They were not removed from any official files; they had never been in official files.

It was not unusual to allow writers to have access to this type of factual material for background purposes, since reading the material or taking notes on it was always more satisfactory from the viewpoint of accuracy than merely relying on one's memory and oral recital.

Gayn learned that I was coming to New York for the meeting with the IPR and telephoned me that he was planning a small party and wished me to spend the night and to arrive early enough for supper. I agreed to do this and found at his home on the evening of April 24 about 10 to 12 people, including Mr. and Mrs. Jaffe, Miss Kate Mitchell, a publisher and a newspaper correspondent whom I had known in China, and several other persons, all writers or their wives.

The next day I saw various friends in New York, had my meeting with the research staff of the IPR, and stopped in at Mr. Jaffe's office to pick up my memoranda.

Early in May, Jaffe again visited Washington and got in touch with me to request my help in getting him a copy of a Federal Communications Commission-monitored report of a broadcast summary from Yenan of a speech given by Mao Tse-tung to the Communist Party Congress. I told Jaffe that I did not handle such material and had no idea whether it would be available to him. I suggested that he come to the Department and that I would introduce him to the responsible officer who would be able to give him a copy if permissible. Jaffe did so and I took him to the appropriate officer in the Division of Chinese Affairs, who said that it was quite customary to give such material to

interested writers and gave Jaffe a copy on the spot. The Yenan radio was very weak and the reception of its broadcasts often badly garbled. This was the case with this particular broadcast. Late in the afternoon, the officer called me and said that FCC had received a much clearer second broadcast. He recalled that Jaffe had been interested and asked how he could contact him. I said that I knew where Jaffe was staying and could take it to him. This was just about closing time in the afternoon. I picked up the monitored report, walked over to the Statler Hotel where Jaffe was staying, and called him from the lobby. My recollection is that he came down in the elevator, I handed the report in an envelope to him and left.

Some days later, Jaffe telephoned me and said that T. A. Bisson, whom I had met briefly in China in 1937 and at the IPR, would like me to come up on Sunday, May 19, for a picnic lunch at his home on Long Island. At the same time, he gave some excuse why Bisson was unable to contact me directly. I agreed to go and arranged to spend the Saturday night at Gayn's. Later Jaffe telephoned again and said that the Gayns were spending the evening at Kate Mitchell's and that I should come there to meet them. I did not go up to New York until in the evening and arrived at Miss Mitchell's about 10 or 10:30 p.m. for a drink before going home with the Gayns.

The plans, it developed, were that the Jaffes, Miss Mitchell and the Gayns were also going to Bisson's. Jaffe picked us up the next morning and drove us all there in his car. The Sunday lunch was a picnic in the Bisson's garden at their home on Long Island. During the afternoon, we took a short walk down to a nearby beach. Miss Mitchell outlined a book which she was writing on China and said that she was particularly interested in getting material on the recent trend of the Kuomintang toward greater emphasis on Chinese classical ethics and philosophy. She asked for suggestions on recent material and from memory I mentioned several publications and other public materials which I knew of. This was the only conversation with Miss Mitchell of which I have any specific recollection.

On May 29, I was invited by a Miss Rose Yardoumian, whom I had met at the Washington office of the IPR and at several social functions, to attend a farewell party for Lieutenant Roth, who was being transferred to the Hawaiian Islands. I had not known that Jaffe was coming and was rather surprised when he again telephoned me and asked me to see him in his hotel and go with him to the party. Apparently his reason for wanting to see me was to press the request for information on the trend toward Confucianism of the Kuomintang.

At the time of my arrest on June 6, only 8 days after this occasion, I described to the FBI my recollection of the events of this evening as follows:

During our conversations at his hotel before going to dinner, Jaffe said that Miss Mitchell was writing a book on China and that he was helping her with material. He asked me something about the trend toward Confucianism of the Kuomintang. I recalled that a Confucianism Society had been established in Chungking under very high official auspices in 1942 or 1943, and suggested that he look for newspaper files, especially those of Chinese News Service, because the event was given great publicity in the newspapers of Chungking at the time.

He said that he was afraid he did not have the files that far back, and wasn't there some way that I could look the matter up. I mentioned that I may have written a report about the Confucianism Society as I was in the

Embassy in Chungking at that time. He then asked whether he could see the report. I explained that it was a part of the files and, of course, could not be taken out of the State Department but that I would try to look it up if there was such a report and give him the dates and enough information so that he could find it in newspapers of that time.

Jaffe discussed the same question on the trend of the Kuomintang toward Confucianism. I mentioned in passing that he could find some pertinent material in a study of Kuomintang propaganda. Again Jaffe asked me for material and I remarked that although I had made a study which included a long list of wall slogans, it likewise was a part of the official files and could not be removed. He pressed me to at least make the material available to him without necessarily removing it from the files and showing it to him. On the spot I remembered and told him a few common wall slogans which seemed pertinent to his subject and mentioned them to him. I gave him to understand that I would check the files to see if I could locate the date of the establishment of the Confucianism Society and refresh my memory on some other pertinent wall slogans.

Several times during the evening Jaffe pressed me to be sure and remember to do this for him.

This party on May 29, 1945, was the last time I ever saw Jaffe, I have had no communication with him since.

My associations with Larsen may be very shortly disposed of. Although Mr. Larsen has testified that he first met me in Chengtu, China, when I was a babe in arms, I have no recollection of this meeting. The first occasion on which I recall meeting Mr. Larsen was some time shortly after my return to Washington in April 1945. I was briefly introduced to him by Mr. Joseph Ballantine, Director of the Office of Far Eastern Affairs of the State Department. Some time later I believe that Mr. Larsen and I were among a group of other State Department employees who had lunch together. Mr. Larsen has testified that this was a luncheon attended by Mr. John Carter Vincent and that during the course of the luncheon Mr. Vincent made certain derogatory remarks about General Hurley. As far as my own recollection goes, I am inclined to think that Mr. Vincent was not present and I certainly have no recollection of his alleged comments about General Hurley. As far as I recall, I had no particular discussion with Larsen at this luncheon.

I think I may also have seen Larsen on some occasion in Jaffe's company, but I never had any occasion to have a discussion with Larsen and Jaffe together. Finally, I saw Mr. Larsen in the early morning of June 7, when we were arraigned before the United States commissioner here in Washington and the next time that I have any recollection of seeing him was when he appeared as a witness at my recent loyalty board hearing.

When I was arrested by the FBI on June 6, 1945, I told the arresting officers and interrogating agents that I was innocent of the charges, that I was mystified by the arrest, and that I wished to do what I could to help solve the matter. That has been and still is my attitude. I gave the FBI a full statement of my associations with the principals in the case. I waived immunity and appeared at my own request before the grand jury.

Contrary to the assertion of Senator McCarthy that some of the grand jurors voted to indict me, Mr. Hitchcock, the prosecutor in charge of the case, has testified before this committee that the grand jury unanimously vote a no true bill in my case.

I have told you, as I have previously told the FBI, as fully as I am able of my dealings with Mr. Jaffe and of the memoranda

which I showed to him. During the course of my loyalty board hearing, a very considerable number of copies of reports and memoranda originally prepared by me were shown to me as having been found in Mr. Jaffe's possession. I testified in that proceeding and I testify here that I have no knowledge of how these reports came into Mr. Jaffe's possession. Certainly I have no disposition to conceal my dealings with Jaffe. I have nothing reprehensible or illegal to conceal.

Quoting from the article in Plain Talk, which purports to have been written by Larsen but which Larsen asserts was written by Isaac Don Levine, Senator McCarthy has asserted that when the FBI took over the investigation of the Amerasia case, it was found that I was in communication from China with Jaffe. I have seen no evidence that the FBI ever found any such thing and, as I have already testified, this assertion is false. I was never in communication in any way, directly or indirectly, with Mr. Jaffe prior to the time that I met him in person on April 19, 1945.

With greater specificity, and again relying on the article in Plain Talk, Senator McCarthy has charged:

Another document stolen from Military Intelligence consisted of 22 pages, and one of the documents, of considerable interest, which was found in his possession and that apparently reached Jaffe before it reached the State Department, was John Service's report No. 58, a report highly critical of Chiang Kai-shek. Does the Senator follow me? Before that document reached the State Department from Service, he had first mailed it to Phillip Jaffe.

Actually, I never prepared any such report. I have never seen the report No. 58 referred to. I have discovered an identification of this document and it transpires that it was prepared by the American consul in Kunming. It occurred to me that that was probably at a time when I was in Yenan, at least 600 miles away. As I say, I have not to this day laid an eye on this document and could not, as Senator McCarthy charges, have mailed it to Philip Jaffe before it reached the State Department.

Senator McCarthy has charged that I was a friend and associate of Frederick Vanderbilt Field. Actually, I have never met Mr. Field in my life so far as I know, and I am certainly neither a friend nor an associate of his.

Senator McCarthy has charged that Mr. J. Edgar Hoover has publicly stated that there was a 100-percent airtight espionage case against me. I have been unable to find any record of such a public statement by Mr. Hoover. Upon request, he did not refer to any such statement and the assistant to the Attorney General has recently advised the Department of State that Mr. Hoover never made such a statement.

Relying again upon the Plain Talk article, Senator McCarthy has charged that former Under Secretary of State Joseph C. Grew insisted on my prosecution and was forced to resign as a result of that insistence. In view of the fact that after my clearance by the grand jury in 1945, Mr. Grew was good enough to write me a personal note expressing his satisfaction at my clearance, I have inquired of Mr. Grew whether there was any basis for this charge made by Senator McCarthy. I should like to introduce into the record at this point a copy of the letter which Mr. Grew wrote me indicating that he never insisted upon my prosecution apart from his desire that any guilty

person be prosecuted, that as he had earlier stated, he was shocked at my involvement and was gratified by my clearance and that his resignation from the Department of State was dictated purely by personal considerations.

Senator TYDINGS. Put it in the record at this point.

Is that Mr. Grew's letter?

Mr. SERVICE. Yes, sir.

Mr. Chairman, may I point out that I have just handed over the original of Mr. Grew's letter.

Senator TYDINGS. When the reporter has made a copy of it, I will ask him to return it personally to Mr. Service and ask Mr. Service to keep the original intact in case the committee desires to see it again.

Mr. SERVICE. Thank you very much.

Do you want to read it or do you want it to go into the record without reading it?

Mr. REILLY. I think it is worth reading.

Senator TYDINGS. Go ahead and read it.

Mr. SERVICE. This is a letter from Mr. Joseph C. Grew, dated April 17, 1950:

DEAR MR. SERVICE: Your letter of April 13 has this moment reached me and I hasten to reply without delay.

My letter to you in August 1945, and that of the then Secretary of State, Mr. Byrnes, after the grand jury had cleared you in the Amerasia case, should be sufficient to clarify your position at that time and to substantiate the fact that you had been completely cleared by due process of law of the charges against you.

My recollection is that I further stated that you would be reinstated in the Foreign Service without any implication of an adverse nature against your fine record.

Although I have not now the text of that letter before me other than a part you have quoted, "That is the way democracy works," there are inaccuracies in the public statements quoted in your letter. I did not insist on your prosecution, apart from that of the other five persons involved.

Having been informed as Acting Secretary of State by supposedly reliable authority that an agency of our Government had what it considered complete evidence of guilt, I quite properly ordered the arrests, which, of course, presume prosecution. I did not at that time know the names of the persons involved, including yours, and I did not wish to know them until the order had been carried out, for justice must not discriminate. When I learned that you, who stood so well in the Foreign Service, were one of those charged with the theft of official documents, I was, as I later wrote you, inexpressibly shocked. It was a great relief to me that you were cleared by the grand jury and a great satisfaction to see you reinstated in the Foreign Service, with no stigma whatever on your record.

I was not forced to resign as Under Secretary of State. Myths about this have arisen. For some time I had wished to retire. The war was then over. I had completed 41 years of service. I had passed the usual age limit, and I was at that time in ill health and was facing a possible major operation. It was, therefore, entirely on my own initiative that I insisted on retiring, even though Secretary Byrnes strongly urged me to continue in service. Those are the facts, and you may use this letter in any way you wish.

With the best of wishes to you,

Very sincerely,

JOSEPH C. GREW

Senator TYDINGS. Is that the letter you referred to, the original letter, which you would like to keep?

Mr. SERVICE. Yes, sir.

Senator TYDINGS. Now that you have read it, unless the committee desires to have some other use for it, you may keep it, as it is already in the record, but we may want it again, so have it available. Proceed with your statement.

Mr. SERVICE. Senator McCarthy has charged that I am one of a dozen top policy makers in the entire Department of State on Far Eastern policy. Actually, I have never occupied a policy-making position in the Department of State.

Senator McCarthy has charged that when Chiang Kai-shek was fighting our war, I sent back official reports to the State Department urging that we torpedo our ally, Chiang Kai-shek, and stating in effect that communism was the best hope of China. Actually, as a reading of my reports will disclose, such recommendations as I have made were designated to prevent the collapse of Chiang Kai-shek's government and to resist the domination of China by communism.

Senator McCarthy has charged that I have been in the Far East trying to turn the whole business over to Russia. Actually, as my reports written from China clearly indicate, I had a full appreciation of the dangers of Russian domination and sought means of preventing such domination.

Senator McCarthy has charged that subsequent to my clearance in the Amerasia case, I was reinstated and placed in the position of controlling placements and promotions of personnel in the Far East. Actually, I have never been in charge of, or in a position to control, either placements or promotions of personnel in the Far East or in any other area. On one occasion I did serve as a member of a 5-man board which recommended promotions of certain junior foreign service officers. My vote was but one of five and the recommendations of our board were passed upon by the Board of the Foreign Service, the Secretary of State, the President of the United States, and confirmed by the United States Senate.

Senator TYDINGS. Have you finished your statement, Mr. Service?

Mr. SERVICE. I have finished it, thank you, Senator.

Senator TYDINGS. Mr. Morgan, have you any questions?

Mr. MORGAN. Mr. Service, at the outset, I believe some reference was made as to the possibility of this subcommittee obtaining the transcript of the proceedings incident to your loyalty hearing. I would like to ask if we have any assurance, either from you or from your attorney, as to whether or not that will or will not be made available to us?

Mr. SERVICE. May I let my attorney answer that question, sir?

Mr. RUETTS. In the first place, I should say that we do not yet have the full transcript of the Loyalty Board hearings. It is our desire that as soon as that transcript is completely available, that it be made available to this committee and its staff for its use. It will be necessary, however, for us to make it available to the subcommittee on this condition. Many of the witnesses who testified in this proceeding did so under the impression and under the assurance that they were testifying in a secret proceeding. Before the committee could make public use of any particular witness' statement, I think it would be necessary for us to be notified so that we might, in turn, obtain the consent of the witness who had testified. Nevertheless, so far as the content of the material is concerned, we wish to make it available to the committee.

Senator TYDINGS. I will ask you now that whatever material you get touching on Mr. Morgan's question, you work out the details with him and then he can report to us, for our approval, just what the understanding is, and we can act on it.

Mr. MORGAN. A further preliminary question, Mr. Service. Reference has been made in your statement to the various reports which you submitted to the State Department. Just for our information have you prepared a compilation at all of these reports that we might consider here?

Mr. SERVICE. May I allow my counsel to answer that, sir?

Mr. RUEFERS. If, Mr. Morgan, you mean a list of the documents that have been located, that is, the reports that have been located, we do have such a list. If you mean do we have a complete set of copies of them, we do not. There have been used in the Loyalty Board proceeding these documents which are a part of the files of the State Department. We do not have a complete set of those documents ourselves. We have a list of them and identification of them which we can make available to the committee. In that connection, I might say, as Mr. Service indicated in his statement, I would suppose that those documents would be available to this committee upon its request by the State Department.

Mr. MORGAN. My question is merely directed to expediting the matter, as to whether or not you have it, and I understand you do not have the actual reports.

Mr. RUEFERS. No, we do not.

Mr. MORGAN. If you will turn, please, Mr. Service, to page 6 of your statement, I am calling attention now to a statement therein, the second full paragraph, to this effect:

It is a matter of pride rather than apology that I was able through these contacts with all of the important Communist leaders from Mao Tse-tung down, to obtain valuable first-hand information for which I have been commended by both the Department of State and the United States Army.

Incidentally, at this point, what has been the nature of those commendations?

Mr. SERVICE. Commendations have been in the form of letters, in the form of official instructions of commendation and ultimately in the form of promotions.

Mr. MORGAN. Thank you.

Were your reports in any way censored by the Communists or Mao or anyone under his direction and guidance?

Mr. SERVICE. Certainly not, sir. They never saw them.

Mr. MORGAN. What I am trying to find out, Mr. Service, is whether you had free rein in submitting these reports without clearing them in any way through Communist channels.

Mr. SERVICE. I had complete free rein in submitting them without getting approval from any Chinese source.

Mr. MORGAN. In obtaining the information to which you refer here, was it necessary for you to undergo any commitments or restrictions with respect to what your reports would contain?

Mr. SERVICE. I made no such commitments. Occasionally if a Chinese Communist official was talking to a newspaperman, he followed the same practice that, I believe, is customary in the United States. He specified certain material which could be directly quoted and which so could not be attributed, but none of the Communist leaders to whom I talked made any specification at all about use of their statements or reporting of the statements or material which they gave to me.

Mr. MORGAN. On page 7 of your statement, there is an observation I would like to ask you about. Reference is made there in the first full paragraph to the elimination of moderate liberal groups, and I am wondering if you are referring there to what has been characterized at least at one point in these proceedings as a third force in China as distinguished from Chiang, on the one hand, and Mao, on the other hand.

Mr. SERVICE. Broadly speaking, that would be correct, but what I and the others who had similar views were thinking of were these facts, that within the Kuomintang or the government party, there was a very large group, many of them American trained, American educated, devoted to American ideals of democracy, who did not favor and would have, if they would have been in a better political position, opposed the policies of the more conservative groups of the Kuomintang. If I may continue, sir, I think that Secretary of State Marshall referred to such liberal groups.

There was also in China a very large nonparty group, mainly intellectuals, some of them business people, who again, you might say, belonged to this nebulous third force. There were also within the Communist Party strong elements whose orientation was more Chinese than it was Russian and who had supported the party during the war because of its united front policies, because of its record of resistance to the Japanese, who might also, if there had not been a civil war, been a leavening influence in whatever unified government could be brought about.

Mr. MORGAN. Shortly after this observation in your statement, you interpolated an additional thought, to the effect that subsequent events, as we now see them, have borne out to a degree the observations contained in your reports; is that correct?

Mr. SERVICE. That is correct, sir.

Mr. MORGAN. Is it fair to assume, Mr. Service, that perhaps what you reported may have had a conditioning influence on what those results have been?

Mr. SERVICE. I don't see, sir, what I as a reporting officer said in China, my analysis of the trends there, could be in any way the motivating cause of the developments that have happened. China is too large and the forces there are too deep; the stream is too wide for me to have directed it or caused what has happened.

Mr. MORGAN. On page 10 of the report, Mr. Service, in referring to the testimony of Secretary Byrnes, reference was made to a memorandum dated October 10, 1944. Is that the Report No. 40?

Mr. SERVICE. That is the Report No. 40, yes.

Mr. MORGAN. Do you have a copy of that available for us?

Mr. SERVICE. We have a copy here, sir. It was also printed in full in the Congressional Record on October 19, 1949.

Mr. MORGAN. In view of the discussion that has revolved about this report, if you have it available, I would like to request at this point, Mr. Chairman, to have it inserted in our record. Will it be made available, Mr. Rhetts, for that purpose?

Mr. RHETTS. Yes, sir. Here is a copy of it.

(Report No. 40, submitted by Mr. Service, is as follows:)

(Report No. 40)

UNITED STATES ARMY OBSERVER SECTION,
APO 879, October 10, 1944.

Subject: The need for greater realism in our relations with Chiang Kai-shek.
To: General Stilwell, Commanding General, USAF-CBI.

1. You have allowed me, as a political officer attached to your staff, to express myself freely in the past regarding the situation in China as I have seen it. Although in Yenan I am only a distant observer of recent developments in Chungking and Washington, I trust that you will permit the continued frankness which I have assumed in the attached memorandum regarding the stronger policy which I think it is now time for us to adopt toward Chiang Kai-shek and the Central Government.

2. It is obvious, of course, that you cannot act independently along the lines suggested. The situation in China and the measures necessary to meet it have both military importance and far-reaching political significance; the two aspects cannot be separated. Because of this interrelation, and because of the high level on which action in China must be taken, there must be agreement and mutual support between our political and military branches. But this will be ineffective without clear decision and forceful implementation by the President.

3. It is requested that copies of this report be transmitted as usual, to the American Ambassador at Chungking and Headquarters, USAF-CBI, for the information of Mr. Davies.

JOHN S. SERVICE.

Enclosure: Memorandum, as stated.

MEMORANDUM

Our dealings with Chiang Kai-shek apparently continue on the basis of the unrealistic assumption that he is China and that he is necessary to our cause. It is time, for the sake of the war and also for our future interests in China, that we take a more realistic line.

The Kuomintang government is in crisis. Recent defeats have exposed its military ineffectiveness and will hasten the approaching economic disaster. Passive inability to meet these crises in a constructive way, stubborn unwillingness to submerge selfish power-seeking in democratic unity, and the statements of Chiang himself to the Peoples Political Council and on October 10, are sufficient evidence of the bankruptcy of Kuomintang leadership.

With the glaring exposure of the Kuomintang's failure, dissatisfaction within China is growing rapidly. The prestige of the party was never lower, and Chiang is losing the respect he once enjoyed as a leader.

In the present circumstances, the Kuomintang is dependent on American support for survival. But we are in no way dependent on the Kuomintang.

We do not need it for military reasons. It has lost the southern airbases and cannot hold any section of the seacoast. Without drastic reforms—which must have a political base—its armies cannot fight the Japanese effectively no matter how many arms we give them. But it will not permit those reforms because its war against Japan is secondary to its desire to maintain its own undemocratic power.

On the other hand, neither the Kuomintang nor any other Chinese regime, because of the sentiment of the people, can refuse American forces the use of Chinese territory against the Japanese. And the Kuomintang's attitude prevents the utilization of other forces, such as the Communist or provincial troops, who should be more useful than the Kuomintang's demoralized armies.

We need not fear Kuomintang surrender or opposition.—The party and Chiang will stick to us because our victory is certain and is their only hope for continued power.

But our support of the Kuomintang will not stop its normally traitorous relations with the enemy and will only encourage it to continue sowing the seeds of future civil war by plotting with the present puppets for eventual consolidation of the occupied territories against the Communist-led forces of popular resistance.

We need not fear the collapse of the Kuomintang Government.—All the other groups in China want to defend themselves and fight Japan. Any new govern-

ment under any other than the present reactionary control will be more cooperative and better able to mobilize the country.

Actually, by continued and exclusive support of the Kuomintang, we tend to prevent the reforms and democratic reorganization of the government which are essential for the revitalization of China's war effort. Encouraged by our support the Kuomintang will continue in its present course, progressively losing the confidence of the people and becoming more and more impotent. Ignored by us, and excluded from the Government and joint prosecution of the war, the Communists and other groups will be forced to guard their own interests by more direct opposition.

We need not support the Kuomintang for international political reasons.—The day when it was expedient to inflate Chiang's status to one of the "Big Four" is past, because with the obvious certainty of defeat, Japan's Pan-Asia propaganda loses its effectiveness. We cannot hope that China under the present Kuomintang can be an effective balance to Soviet Russia, Japan, or the British Empire in the Far East.

On the contrary, artificial inflation of Chiang's status only adds to his unreasonableness. The example of a democratic, nonimperialistic China will be much better counterpropaganda in Asia than the present regime, which, even in books like "China's Destiny," hypnotizes itself with ideas of consolidating minority nations (such as the "Southern Peninsula"), and protecting the "rights" and at the same time national ties of its numerous emigrants (to such areas as Thailand, Malaya, and the East Indies). Finally, the perpetuation in power of the present Kuomintang can only mean a weak and disunited China—a sure cause of international involvements in the Far East. The key to stability must be a strong, unified China. This can be accomplished only in a democratic foundation.

We need not support Chiang in the belief that he represents pro-American or democratic groups.—All the people and all other political groups of importance in China are friendly to the United States and look to it for the salvation of the country, now and after the war.

In fact, Chiang has lost the confidence and respect of most of the American-educated, democratically minded liberals and intellectuals. The Chen brothers, military and secret police cliques which control the party and are Chiang's main supports are the most chauvinist elements in the country. The present party ideology, as shown in Chiang's own books *China's Destiny* and *Chinese Economic Theory*, is fundamentally antiforeign and anti-democratic, both politically and economically.

*Finally, we need feel no tie of gratitude to Chiang.—*The men he has kept around him have proved selfish and corrupt, incapable and obstructive. Chiang's own dealings with us have been an opportunist combination of extravagant demands and unfilled promises, wheedling and bargaining, bluff and blackmail. Chiang did not resist Japan until forced by his own people. He has fought only passively—not daring to mobilize his own people. He has sought to have us save him—so that he can continue his conquest of his own country. In the process, he has "worked" us for all we were worth.

We seem to forget that Chiang is an oriental; that his background and vision are limited; that his position is built on skill as an extremely adroit political manipulator and a stubborn, shrewd bargainer; that he mistakes kindness and flattery for weakness; and that he listens to his own instrument of force rather than reason.

Our policy toward China should be guided by two facts. First, we cannot hope to deal successfully with Chiang without being hardboiled. Second, we cannot hope to solve China's problems (which are now our problems) without consideration of the opposition forces—Communist, Provincial and liberal.

The parallel with Yugoslavia has been drawn before but is becoming more and more apt. It is as impractical to seek Chinese unity, the use of the Communist forces, and the mobilization of the population in the rapidly growing occupied areas by discussion in Chunking with the Kuomintang alone as it was to seek the solution of these problems through Mikhalovitch and King Peter's government in London, ignoring Tito.

We should not be swayed by pleas of the danger of China's collapse. This is an old trick of Chiang's.

There may be a collapse of the Kuomintang government; but it will not be the collapse of China's resistance. There may be a period of some confusion, but the eventual gains of the Kuomintang's collapse will more than make up for this. The crisis itself makes reform more urgent—and at the same

time increases the weight of our influence. The crisis is the time to push—not to relax.

We should not let Chiang divert us from the important questions by wasting time in futile discussion as to who is to be American commander. This is an obvious subterfuge.

There is only one man qualified by experience for the job. And the fact is that no one who knows anything about China and is concerned over American rather than Chiang's interests will satisfy Chiang.

We should end the hollow pretense that China is unified and that we can talk only to Chiang. This puts the trump card in Chiang's hands.

Public announcement that the President's representative had made a visit to the Communist capital at Yenan would have a significance that no Chinese would miss—least of all the Generalissimo. The effect would be great even if it were only a demonstration with no real consultation. But it should be more than a mere demonstration; we must, for instance, plan on eventual use of the Communist armies and this cannot be purely on Kuomintang terms.

Finally, if these steps do not succeed, we should stop yelling our negotiations with China in complete secrecy. This shields Chiang and is the voluntary abandonment of our strongest weapon.

Chinese public opinion would swing violently against Chiang if he were shown obstructive and noncooperative with the United States. We should not be misled by the relatively very few Kuomintang die-hards; they are not the people. The Kuomintang government could not withstand public belief that the United States was considering withdrawal of military support or recognition of the Kuomintang as the leader of Chinese resistance.

More than ever, we hold all the aces in Chiang's poker game. It is time we started playing them.

JOHN S. SERVICE.

OCTOBER 10, 1944.

MR. MORGAN. For purposes of clarification, referring to page 16 of your statement, Mr. Service, you refer to the fact that you returned to Washington on April 12, 1945, and thereby suggest that inasmuch as the initial entry into the Amerasia quarters was on March 11, 1945, that manifestly Mr. Jasse had prior to your return to this country established channels for obtaining information. Just for our record at this point, what was your next previous return to this country, let us say, prior to April 12, 1945?

MR. SERVICE. I arrived in Washington on October 30 or 31, 1944.

MR. MORGAN. October 30 or 31, 1944. How long were you here at that time?

MR. SERVICE. I felt Washington, I believe, on November 19, 1944, proceeded to California to visit my family, returned to Washington on or about January 2, 1945, and left Washington about January 7, 1945, on my way back to China.

MR. MORGAN. Those are the only instances in which you were in the country, let us say, from October 1944, until you returned in April; is that correct?

MR. SERVICE. That is correct.

MR. MORGAN. In order that it may be clear in our record, Mr. Service, you have, as I understand it, frankly stated that you did supply to Mr. Jasse copies of your reports prepared in China; is that correct?

MR. SERVICE. A few of my reports prepared in China.

MR. MORGAN. Were those returned to you prior to your arrest on June 6, 1945?

MR. SERVICE. Mr. Jasse returned those to me on the morning of April 25, 1945, when I was in New York.

MR. MORGAN. In other words, any reports that were found in the Amerasia headquarters at the time or subsequent to the arrest would

not have been the reports which you supplied Mr. Jaffe; is that correct?

Mr. SERVICE. They would not have been the papers which I gave him; no.

Senator TYDINGS. Mr. Morgan, could I ask a question there?

Mr. MORGAN. Yes.

Senator TYDINGS. In your written statement, you say at one place that you stopped by Jaffe's office to pick up the reports. Prior to that you said he wanted to take them with him. He did take them with him and when you would be in New York, you would stop by to pick them up. Now, did you get all of the things that you gave to Jaffe at the time you stopped in his office in New York on that day to pick up the reports? Your testimony did not say whether you got them or not. It simply said you stopped by to pick them up.

Mr. SERVICE. I did receive back from Mr. Jaffe on that occasion in his office on April 25, 1945, as far as I know, all of the copies which I had allowed him.

Senator TYDINGS. If you will look in your testimony, you will find you didn't say whether you got them or not. That is the Amerasia office.

Mr. SERVICE. That was the Amerasia office, sir.

Mr. MORGAN. Again, for purposes of clarity, the documents you gave Mr. Jaffe, as I understand your testimony, were copies of your reports which you had retained in your possession; is that correct?

Mr. SERVICE. That is correct.

Mr. MORGAN. As I understand it, you have stated, Mr. Service, that you were authorized to retain these copies; is that correct?

Mr. SERVICE. I was.

Mr. MORGAN. Who so authorized you?

Mr. SERVICE. The Army headquarters in Chungking.

Mr. MORGAN. Do you have any means of verifying that? I am not suggesting at all that that may not be true, but is there any means whereby we can verify whether you were so authorized?

Mr. SERVICE. I am not sure, sir. I have never been interrogated on that point. I have assumed, since I was not interrogated, that it has been verified.

Mr. MORGAN. Assuming that we have not so verified it here, can you suggest any way in which we could verify it?

Mr. SERVICE. The reports were sealed by the Adjutant General's Office, the Army headquarters office in Chungking so that I could bring them home with me and pass them through censorship.

Mr. MORGAN. As I gather it, however, at the time you supplied these documents to Jaffe, you did not secure—from what you have said, I presume it was not required that you secure—approval therefor from any official in the State Department; is that right?

Mr. SERVICE. That is correct. I did not secure specific approval in this instance. It is an acknowledged custom to allow members of the press or writers or research people to see from time to time certain types of background information for their background use.

Mr. MORGAN. Did you conceive at the time, or have you since conceived, that that probably was an indiscretion in this instance?

Mr. SERVICE. Certainly, I recognize it as an indiscretion. I have suffered for it for 5 years.

Mr. MORGAN. In that connection, Mr. Service—

Mr. SERVICE. It wasn't an indiscretion, I might say, because I trusted a newspaperman, and I trusted a great many newspaper people before and had never been disappointed.

Mr. MORGAN. We have in our record here, Mr. Service, a considerable amount of testimony and evidence respecting the alleged Communist connections of Jaffe, and to a degree also Roth, and perhaps others in this Amerasia picture. At the time of your association with them, were you conscious of these Communist connections?

Mr. SERVICE. No, sir; I was not. I had been out of the country almost continuously. Transportation during the war to China was so difficult that we did not receive magazines except a few air-mail copies of magazines, such as Time or Newsweek. I had not been reading Amerasia. As I say, I did not know Mr. Jaffe personally or know anything about him except that he was the editor of the magazine. I did make inquiry; in fact, the very next day after I met Mr. Jaffe, I made some inquiry. Unfortunately, the man of whom I made the inquiry was Lieutenant Roth, who assured me that Mr. Jaffe was not a Communist.

Mr. MORGAN. Were you familiar at all with the complexion of Amerasia, one way or the other, as to whether it did or did not have a pro-Communist tinge?

Mr. SERVICE. No, I really wasn't, sir, because I just wasn't familiar enough with the magazine.

Mr. MORGAN. Were you familiar with any dispatches that may have been sent from the State Department incorporating data that appeared in Amerasia?

Mr. SERVICE. No, sir. I was not in China during that period as part of the Embassy staff and I had relatively little contact with the Embassy. Furthermore, from July 1944, until the time I left China, I was in Yenan.

Mr. MORGAN. You, doubtless, have seen the observation in the press, Mr. Service, that Amerasia was regarded as the Bible in the State Department. Do you have any observation on that?

Mr. SERVICE. I think it is a little, shall we say, foolish. Certainly we who were on the field, seeing the events happen before our eyes, were not depending for our views or our conclusions on magazines or publications here in the United States, which could only report and comment on those events months after they occur. There is just no basis for any statement that Amerasia was the Bible of the State Department.

Mr. MORGAN. Now, to go back to the association with Mr. Jaffe. During the period of this association, did you know that Mr. Larsen was also supplying him information and documents?

Mr. SERVICE. No, sir; I did not.

Mr. MORGAN. Incidentally, where did you keep these copies of your reports?

Mr. SERVICE. I kept them in my desk in the State Department.

Mr. MORGAN. Did you ever take them home with you?

Mr. SERVICE. No, sir; I did not usually.

Mr. MORGAN. Well, I believe our record reflects this. At the time of your arrest, were any documents seized?

Mr. SERVICE. A large number of my personal copies and personal correspondence and various other miscellaneous materials of a non-official character were found in my desk and all seized; yes.

Mr. MORGAN. I mean, you were arrested at your apartment, were you not?

Mr. SERVICE. Yes.

Mr. MORGAN. Were any documents seized at that time?

Mr. SERVICE. No official documents, sir. I would like to amplify that last answer. I did not have any official documents in my apartment.

Mr. MORGAN. Referring now to a question previously asked, did you know that Mr. Larsen was in association with Mr. Jaffe at the same time you knew him?

Mr. SERVICE. I have mentioned here in my statement that I have a vague recollection of seeing them in company, seeing the two of them together once. I believe the occasion was when I went over to the Statler Hotel and handed to Mr. Jaffe in the lobby the copy of that radio broadcast. I think that Jaffe and Larsen were there together in the lobby, standing together and talking, as I remember it, but that is the only occasion I saw them together, and that was the only indication I ever had that they knew each other or were associated in any way.

Mr. MORGAN. You have familiarized yourself, I presume, Mr. Service, with the proceedings before the so-called Hobbs committee as recently reported in the Congressional Record?

Mr. SERVICE. I have read those sir.

Mr. MORGAN. You have read, I presume, therefore, the record of the surveillance conducted of the various subjects in the Amerasia case?

Mr. SERVICE. Yes.

Mr. MORGAN. Do you recall each of these meetings mentioned in the surveillance record, without the necessity of my going down through each one of them?

Mr. SERVICE. Yes; I recall them, although I don't agree with the details as they are stated.

Mr. MORGAN. Well, I think you should be privileged to indicate wherein you disagree.

Senator HICKENLOOPER. What is the citation in the Congressional Record?

Mr. MORGAN. It is the May 22, 1950, edition, page 7562.

Mr. SERVICE. On page 7563, in the middle column, slightly above the middle of the page, it states, "On April 20, Service was observed to enter the Statler Hotel carrying a brown brief case," which I might say I am in the habit of always carrying, whether it contains newspapers or personal letters or personal papers. "On that occasion, he remained in Jaffe's room all morning." Now, I have no recollection of remaining with Mr. Jaffe for any length of time such as that. It is my belief that I went to the State Department and selected these descriptive memoranda which I thought would be appropriate to allow a man to see for background use. I took them to the hotel, expecting to allow Mr. Jaffe to read them before lunch, so that I could pick them up during lunch, and I left the hotel and later returned for the luncheon engagement.

Mr. MORGAN. If you will refer to that record of this surveillance that you have there, Mr. Service, you will find on page 7563, in the third column, approaching the bottom of the column, this statement:

At noon on May 8, 1945, Roth was observed to visit Jaffe at the Statler Hotel. When he entered, he was carrying a large manila envelope. He remained for approximately 2 hours. Later that afternoon, Larsen met with Jaffe in the lobby of the hotel, and after a very brief conversation Larsen departed and Jaffe was immediately joined by Roth and his wife, John Service and Rose Yardoumian. They had dinner together, at which time Jaffe returned to New York City.

Now, in connection with your meeting with Mr. Jaffe on this occasion, Mr. Service, do you recall the nature of your conversation with him at that time? Specifically, what matters were discussed?

Mr. SERVICE. On this occasion, sir?

Mr. MORGAN. Yes.

Mr. SERVICE. My recollection is that there was no conversation except to say "Hello" and "How do you do" to the people that were with him there, to hand him the envelope, and I left immediately thereafter.

Mr. MORGAN. Did you go on that occasion to Mr. Jaffe's room, as you recall?

Mr. SERVICE. No, sir; I do not recall anything beyond handing him this paper in the lobby and walking out.

Mr. MORGAN. Would you say you did not go to his home?

Mr. SERVICE. I believe I saw him in his room and we had breakfast, and he later went with me, as I explained in my statement, to the State Department to see if he could obtain a copy of this broadcast.

Mr. MORGAN. Were just you and Jaffe present on this occasion in his room?

Mr. SERVICE. As far as I remember, sir.

Mr. MORGAN. I realize this is a burden on memory, but do you recall what the nature of your conversation and discussion with Mr. Jaffe on that occasion was?

Mr. SERVICE. No, sir. I am afraid after 5 years it is extremely difficult for me to remember specific conversations with particular people at particular times. I was talking about China every day, all day, to Government officials and groups.

Mr. MORGAN. Do you recall whether you ever discussed with Mr. Jaffe military plans in contemplation of future action?

Mr. SERVICE. I don't recall that I ever discussed them with him in any specific terms, because I did not have detailed knowledge. Certainly, everybody writing on China was interested in how the war was progressing and how it was likely to progress.

Mr. MORGAN. Did you ever at any time admonish Mr. Jaffe that what you were telling him was to be held in secrecy?

Mr. SERVICE. That is quite possible, sir; yes. In discussing background information with the press, you often have to specify that certain things you mention for background information either should not be attributed or should not be used at all.

Mr. MORGAN. Did you ever admonish him that what you had told him about military plans should be held in secret?

Mr. SERVICE. That I do not recall, sir. Of course, everyone was interested at that time on the question of whether or not there was going to be any American landing on the coast of China. I surely mentioned

the fact, which was well known and had been thoroughly reported by us, that the Chinese Communists were expanding their areas of control and were trying to move toward the coast, particularly the south-east coast, in the expectation or hope that we would make a landing there and that we would be forced to cooperate in some way with them.

Mr. MORGAN. Are those the circumstances that gave rise to that admonition, assuming you do recall it now?

Mr. SERVICE. It is possible, sir; I have no definite recollection. I am speculating that that would have been the normal thing to have talked about with anyone interested in China in April 1945.

Mr. MORGAN. Of what military plans were you in cognizance on May 8, at the time of your conversation with Mr. Jaffe?

Mr. SERVICE. I was not cognizant, generally speaking, of any military plans. That was not my job; it was not my interest. I never knew whether or where or when we planned a landing on the China coast.

Mr. MORGAN. What would have been the occasion, therefore, Mr. Service, for your indicating to Mr. Jaffe that what you had told him about the military plans was necessarily secret?

Mr. SERVICE. I am sorry, but without being able to reconstruct the conversations, sir, I am at a loss.

Mr. MORGAN. I wish you could help us on that. Can you have any way of recalling this situation at all?

Mr. SERVICE. Can you give me any more information, sir?

Mr. MORGAN. I am sorry; that is the extent of my information, Mr. Service.

Mr. SERVICE. I did not have possession or knowledge of secret plans.

Mr. MORGAN. Well, did you have possession of any information concerning military plans on the part of the Chinese, on the part of this country or on the part of anyone?

Mr. SERVICE. I certainly had in my head information which would be contained in classified documents, as practically everything was, but I had no knowledge of the American war plans.

Mr. MORGAN. Is it your statement, therefore, that you did not discuss military plans with Mr. Jaffe on this occasion?

Mr. SERVICE. I certainly probably discussed the military situation with him in a general way, sir.

Mr. MORGAN. Is it your statement now that you had no knowledge of any military plans that you might have discussed with him?

Mr. SERVICE. We have a broad term, sir, that is hard to handle, and that is what is "military plans."

Mr. MORGAN. I assume from what you have said that you cannot recall what your conversation was with Mr. Jaffe on that occasion; is that correct?

Mr. SERVICE. That is correct, yes.

Mr. MORGAN. Now, among the items found at Amerasia headquarters at the time of the arrest there on June 6, 1945, was a typed copy of a memorandum captioned "The Stilwell Affair and Hurley's Appointment." This memorandum is indicated to contain information of a top-secret character and to contain the text "Two Messages from the White House to Chiang Kai-shek." There is indicated on this memorandum, which apparently is a memorandum prepared pursuant to contact with someone having access to this material, a notation thereon that the information was obtained from Service. Do you recall any

conversation which you might have had with Mr. Jaffe or anyone else associated with Amerasia that might have occasioned their having in their possession in New York a memorandum relating to "The Stillwell Affair and Hurley's Appointment," ostensibly top-secret information?

Mr. SERVICE. I never, as far as I can remember, discussed that question with Mr. Jaffe. I do, however, remember having had some conversation with Mr. Gayn. Mr. Gayn was negotiating with the Saturday Evening Post, and he told me he had an agreement with the Saturday Evening Post for a series of articles, I believe he said, on the Stilwell affair. Again, he was very anxious to find out what he could about the background and to get what material was available. He came down to Washington, and I remember he had an expectation of talking to various people, officers in the Army and other places, and he asked me if I knew anything about Stilwell's recall. I told him I did not; that I was in Yenan at the time, but I did mention that I believe the genesis, the beginning of the events that led up to Stilwell's recall and the initial background of General Hurley being sent to China, was the American request made by President Roosevelt that General Stilwell be placed in command of all Chinese forces.

Now, this was not news. It had been published in the New York Times for October 31, 1944, some 6 months earlier. But in the interim, in those 6 months, there had been a good deal of argument and debate, half-true statements, misleading statements published about the reasons, the background of General Stilwell's recall. So I told from memory; and, knowing that the fact of the American command was already public knowledge, I told him from memory something of the original request in July 1944.

Mr. MORGAN. How about these two messages from the White House to Chiang that were also in this memo? Can you help us any on that?

Mr. SERVICE. That is what I told him from memory, something about those messages. I had no text. I don't believe that the classification was top secret. Certainly by this time they were general knowledge and had been made known through official sources to a number of newspapermen, and, as I say, the essential fact was published in the New York Times for October 31, 1944.

Mr. MORGAN. Is that a copy of the Times of that date that you have there?

Mr. SERVICE. Yes, sir; this is a copy of the New York Times.

Mr. MORGAN. Would you care to make a copy of that available for our record?

Mr. SERVICE. When I saw the article in the Washington Daily News of June 6, 1950—the headline is "Amerasia Got FD's China Plan To Make Stilwell Boss." I refreshed my memory of some of these things and I made a search of the New York Times, and that is how I happen to have this.

Mr. MORGAN. It might be helpful, and I would request, Mr. Chairman—

Mr. SERVICE. I would be happy to. It is an article by Brooks Atkinson.

Senator TYDINGS. Is it marked so you can get hold of it?

Mr. SERVICE. It is in the fourth column. It commences in the third or fourth column, I believe.

Senator TYDINGS. For purposes of identification, this is the New York Times, Tuesday, October 31, 1944, late city edition. In the third column, reading from left to right, after a large streamer heading which runs across most of the page, there is, first of all, this general streamer heading: "Stilwell Recalls Bares Rift With Chiang." Under that, in the third column, reading from left to right, is "Long Schism seen. Stilwell break stems from Chiang refusal to press war fully. Peace with Reds bared. Generalissimo regards that their armies fighting Japanese as threat to his rule." The article is by Brooks Atkinson. Let's get this settled.

Mr. MORGAN. I don't think we need to include it in the record, Mr. Chairman, if we can just have it as information reference.

Senator TYDINGS. Can we have it as an exhibit?

Mr. SERVICE. Surely.

Senator TYDINGS. Without objection, it will be filed with the reporter as exhibit 90, and he will return it with the copies to the counsel.

Mr. MORGAN. You were starting to say something, I believe, Mr. Service.

Mr. SERVICE. I don't remember any indication that the classification on these was anything except "Eyes only," which is not a security classification. It is a distribution classification, and after it had been made known to the Chinese, of course, they were free to use the information as they wished, and many of our newspapermen in China learned of it through Chinese sources.

Mr. MORGAN. Right at that point—we have had some reference here to this "Eyes only" business—what is your statement concerning that classification again?

Mr. SERVICE. I say that it is a distribution classification, not a security classification.

Mr. MORGAN. Was it provided for anywhere in your manuals of instruction or anything of that kind?

Mr. SERVICE. It is not listed as a security classification.

Senator LODGE. Mr. Chairman, it certainly has a very real bearing on security, has it not?

Mr. SERVICE. Certainly, sir, at the time that the message was sent out, but it is sent in a code which can be handed verbatim to a foreign government, and after it is given to the foreign government, our control of security is lost. It is a designation put on these messages which are to be kept private for the time being. However, by the time I was mentioning these messages for background information to this man who was going to write the series of articles in the Saturday Evening Post, 10 months had elapsed; the Army headquarters in Chungking had given the full background, including documentation, to correspondents. The Chinese had also disclosed the background.

Senator LODGE. But in the military service, isn't it true when a message was classified, "Eyes only," that that meant it was a message of the highest security and that it was important that only very few people even know about it; isn't that correct?

Mr. SERVICE. My point, sir, is that by this time, it no longer retained that classification. The facts had become public knowledge, through wide disclosure and through publication in the American press.

Senator Lodge. Isn't it true that the "Eyes only" classification has a very direct bearing on the security of the information?

Mr. Service. At the immediate time.

Senator Lodge. At the time, yes.

Mr. Service. At the immediate time. The time I am speaking of was 10 months later, after the information had been officially revealed.

Senator Lodge. Thank you.

Mr. Service. The article in the New York Times was passed by American censorship.

Senator HICKENLOOPER. In connection with that, Mr. Chairman, I would like to call attention to a photostat which I have in my hand here, alleging to be a photostat of one of the documents seized in the Amerasia matter, which bears the identifying symbols, "J118a 27," then an asterisk, "Q310." It has various references to examination of this document, but the significant thing with reference to the "Eyes only" is on the second page of this particular document, which is headed, "The Stilwell affair and Hurley's appointment."

The first paragraph says:

This information classified as top secret ("Eyes only") is supplied by John S. Service. Special caution must be shown in the use of the two White House messages to Chung Kai-shek, whose text is given below.

I have no objection to the entire matter going into the record.

I refer to that as one of the documents seized in the Amerasia case, and I would like to ask, Mr. Service, whether a document that is delivered with the so-called "Eyes only" classification can be reproduced by the receiving officer.

Mr. Service. May I see the document there, sir? I have never seen it.

Senator HICKENLOOPER. I have no objection to you seeing the document, but I am asking you about the "Eyes only" classification. Is the receiving officer at liberty to reproduce that document for his files?

Mr. Service. Certainly not. I never reproduced it, sir. I never had the document.

Senator HICKENLOOPER. I am not talking about this document. I am talking about any document received by an official with the classification at the top "Eyes only." Does that receiving official have a right or is he supposed to reproduce that document in his own office, make copies of it or is he to pass it on without reproducing it?

Mr. Service. It depends on who the officer is, sir. Normally, he would not in any case reproduce this document, but I had no document.

Senator HICKENLOOPER. I am talking about the classification of "Eyes only" not only in this document or any other specific document, but any document that carries with it the classification, either in the military or in the State Department. Is that document supposed to be merely read by the receiving officer and handed on to someone else to read it or is he authorized to make copies of such a document, and he retain copies of that document?

Mr. Service. Well, the question is hard to answer in specific terms, because even an "Eyes only" message must go through a great many channels, and there will be copies kept of it in certain offices. There

will have to be some offices where copies of all such messages would be retained. Now, I myself never made any copies of these messages; never retained any of these copies of these messages, and I did not deliver any such document to Jasse or to Gayn.

Senator HICKENLOOPER. Would you consider that a document that is headed "Eyes only," with that classification on it as a top secret document, or what would be the importance of a document that carries that classification?

Mr. SERVICE. Very often, sir, it has a purely temporal importance, and after the facts have become public knowledge, as in the case of Mr. Atkinson's article, being made known to many officially and passed on officially by the American censorship and printed in the New York Times, the content is no longer "Eyes alone" or top secret. I want to make clear, if I may, that I never gave Mr. Gayn any document or Jasse of this nature, because I had none. I did not even have notes of it.

Senator HICKENLOOPER. Mr. Chairman, may I just take the time to read the first couple paragraphs of this?

Senator TYDINGS. Let me ask you, Senator—take all the time you want, but is it contemplated you will be through in the near future so that we will—

Senator HICKENLOOPER. I think 5 minutes will complete it.

Senator TYDINGS. All right, go ahead.

Senator HICKENLOOPER. For continuity, I want to read the first three paragraphs of this document.

Senator TYDINGS. What is it, a memorandum?

Senator HICKENLOOPER. It is the memorandum attached to this document, whose identifying symbols I gave a moment ago, and which was seized in the Amerasia case.

Senator TYDINGS. As I understand the Senator, for the purposes of identification, this is not the document itself. This is a memorandum concerning the document; is that correct?

Senator HICKENLOOPER. No.

Senator TYDINGS. I just glanced at it. That isn't the document but a comment upon it.

Senator HICKENLOOPER. This, as I understand it and as I read it, is a comment upon the document and the information furnished, but this was seized in the Amerasia office.

Senator TYDINGS. That is right. I just want to differentiate that it wasn't the document but a comment on the document.

Senator HICKENLOOPER. No. As I understand it, this is the document seized in the Amerasia office and discussing the Stilwell affair and alleging—

Senator TYDINGS. Just so the press can get it right.

Senator HICKENLOOPER. This is the document which I have identified with the symbols a moment ago. It is headed "The Stilwell affair and Hurley's appointment." The first paragraph is as follows:

This information classified as top secret ("Eyes only"), is supplied by John S. Service. Especial caution must be shown in the use of the two White House messages to Chiang Kai-shek, whose text is given below.

Early in July 1944, the United States command in Chungking refused top-secret message from the White House to be conveyed to General Chiang Kai-shek. The message was taken to Chiang by Brigadier General Ferris. For fear that the text might be garbled by Chiang's own translator, John Service accompanied Ferris as interpreter. On arrival at Chiang's place, the two Americans asked

Chiang to exclude all others from the room. Chiang listened in silence and later said he would transmit his reply to the White House through his own channels. The message, as paraphrased by Service on May 10, 1945, was—

and this is alleged to be the paraphrasing by you, Mr. Service, as contained in this document:

The situation in China is desperate and calls for drastic steps. The President, therefore, suggests that all armies in China, including those of the Communists, be placed under an American commander. Although the President knows of Chiang's dislike for General Stillwell, he nevertheless believes that Stillwell's experience and record makes him the best man for the job. The President would give Stillwell the necessary rank—make him a four-star general.

Beginning with the words, "Chiang's reply was apparently transmitted," being a part of the memorandum and not alleged to be an interpretation of Mr. Service, as I read it, I will start the next paragraph, which is as follows:

Chiang's reply was apparently transmitted through H. H. Kung, who was then attending the Bretton Woods Conference. About 10 days after the President's first message, another message arrived in Chungking. It gives a fair indication of Chiang's reply to the White House.

The second message, also transmitted to Chiang by Ferris and Service, said in essence—

and this is alleged to be an interpretation of what the message said:

I am glad that you are in principle agreed to my suggestion for an American commander over all the forces in the China theater. Although, as you say, there are political factors which must be considered, and there is also the important question of timing, I believe that the situation is so urgent that we should not delay. The political questions can certainly be solved. I agree with your suggestion for a high-ranking political representative who can discuss these military and political matters, and I am looking now to find such a man who can have your complete confidence.

There is a note here in parenthesis following the last reading that says, "Service's words are apparently garbled in transcription from shorthand."

I have no objection to Mr. Service reading this entire memorandum, Mr. Chairman.

Senator TYDINGS. I think this would be a good place to take a recess now, and we will come back at 2:30. I will have no objection to his reading it now, if he will bring it back at 2:30, because we will want to interrogate him about it.

(Whereupon, the committee recessed at 1 p. m.)

AFTERNOON SESSION

Senator TYDINGS. The meeting will come to order.

TESTIMONY OF JOHN S. SERVICE—Resumed

Mr. MORGAN. Mr. Chairman, I would like to make one observation on the record here, not with the idea of indicating that anyone has violated any responsibility. I presume if it is anybody's it is my own. But with respect to these documents I think we should understand that through the courtesy of the Department of Justice they have been made available to us for purposes of implementing our cross-examination, and I do not think I mentioned that to the chairman. Of course, I think probably in any event we would want to let Mr. Service and his attorneys see the documents. However, it is my

understanding that they were interviewed rather extensively by the press, and while I am sure we want to cooperate with the press, I want to make it clear that as a matter of courtesy of the Department of Justice they are made available to us for purposes of examination and not for general release.

Senator TYDINGS. I see. Then I take it that what we ought to do is interrogate the witness concerning them but not put them in the record insofar as applicable, but have them available for the committee and if a question is asked about them, show the witness the document so he can identify and answer. Is that your thought?

Mr. MORGAN. That would be my idea, Mr. Chairman. I realize it presents something of an awkward situation, but in fairness and justice to the situation by which we obtained them, I think that is what we ought to do.

Senator TYDINGS. I think that is a fair observation. We will try to work along within that general latitude.

Mr. MORGAN. Mr. Service, had you completed the statement you were making at the end of the morning session relative to those letters, those documents?

Mr. SERVICE. No, sir. I would like very much, now that I have had a chance to look over this document, to make some further comments regarding it.

I would like to review briefly the whole incident, as I recall it, and to try to cover the various threads on which we touched this morning.

I might preface what I am going to say by mentioning that for the previous several years I have been primarily a reporting officer; my duties in many ways paralleled those of newspaper correspondents and writers; and that I had worked in many ways closely with the representatives of the press. They very often were able to obtain information which I did not have access to which was valuable information.

I also, as a member of General Stilwell's staff was expected and instructed to keep them informed of appropriate background information so that their analysis and appraisal would be accurate.

Now when I returned to the United States in April 1945, and met Mr. Gayn, he was, as far as I knew, a well-known and reputable magazine writer on the Far East. I had seen articles which he had published in Collier's, and I had no reason to doubt his statement to me that he was preparing a series of articles for the Saturday Evening Post. He was anxious to get what information he could, background guidance on the origins of the General Stilwell recall.

As I mentioned this morning, I told him I was not familiar with the final stages; I was not in Chungking.

I believe it was on the morning probably of May 19, after I had spent the night in his apartment, that he returned to the subject of these articles for the Saturday Evening Post and mentioned the various conflicting versions which had been published about the reasons for the Stilwell recall, and asked me again if I did not know something about the background. So I agreed to tell him from memory something about what I had considered to be the origin. I had explained to him that this was background information so that he would have a clear understanding of how the whole affair started, he would have a solid base point to avoid him going off on a tangent that some of the writers about China had gone off on. He said, "It is important. May my wife take some notes?"

As I recall, we were sitting around the breakfast table and she sat off to the side of the room and apparently took notes.

Now the only events in the background that I had knowledge of were the original telegrams exchanged between President Roosevelt and Generalissimo Chiang Kai-shek requesting that General Stilwell be placed in command of all the Chinese Armies. I had no notes on those telegrams, I had no copies of the telegrams. The telegrams had been exchanged 10 months previously. I did know, however, that American correspondents in Chungking had been very thoroughly briefed on the whole matter at the time of General Stilwell's recall by the highest and most authoritative sources.

Senator TYDINGOS. Mr. Service, if I am not interrupting your story, so that I can follow it a little more logically, could you give us the approximate date when General Stilwell was recalled?

Mr. SERVICE. Yes, Senator, General Stilwell was recalled on October 19, 1944.

Senator TYDINGOS. So this was five or six or so months after the recall?

Mr. SERVICE. This was 8 months afterwards.

Senator TYDINGOS. Thank you, that clears up something.

Mr. SERVICE. It was about May 19, 1945.

Senator TYDINGOS. I apologize for interrupting.

Mr. SERVICE. The telegrams to which I refer were in July 1944.

Senator HICKENLOOPER. Before you continue, may I suggest that you say who the highest authority was that briefed very thoroughly these newspaper people over there on Stilwell? What was the name of the official so we can get it down in specification?

Mr. SERVICE. I was not present, sir, but it was either General Stilwell or officers immediately under his command. Much of this information also was given to these American correspondents by very high Chinese officials.

Senator HICKENLOOPER. Who?

Mr. SERVICE. Including the President of the Legislative Yuan, Dr. Sun. Much of the background, I believe, was also given to the correspondents by the President's official representative in China.

Senator HICKENLOOPER. And who was that?

Mr. SERVICE. Gen. Patrick Hurley.

Senator HICKENLOOPER. Do you know that this information was given to these correspondents of your own knowledge, or is that what you were told?

Mr. SERVICE. I know from second-hand information from some of the people present and from some of the correspondents themselves, one of whom accompanied me on the plane back to the United States in October 1944 to publish the story.

Senator HICKENLOOPER. Who was that?

Mr. SERVICE. I am referring to Mr. Brooks Atkinson whose story in the New York Times I referred to this morning, and that story contained the gist and only important part of what I told Mr. Gayn.

Senator HICKENLOOPER. And did you discuss this matter with Mr. Brooks Atkinson on the trip back or any other time prior to the publication of his story in the New York Times?

Mr. SERVICE. I beg your pardon, Senator.

Senator HICKENLOOPER. Did you discuss the subject matter of this newspaper story he later wrote with Mr. Atkinson on the plane back or at any other time prior to the publication of his story in the New York Times?

Mr. SERVICE. I read his story while we were traveling back on the plane.

Senator HICKENLOOPER. Did you discuss it with him and give him any background information of any kind?

Mr. SERVICE. No, sir; I was not in position to give him recent background information because I was, as I say, not in Chungking but in Yenan.

I think, sir, it might be useful for me to refer you to the transcript when it is available of the Department of State Loyalty Board hearings in which this matter was gone into in considerable detail and during which Mr. Brooks Atkinson appeared as a witness.

Senator HICKENLOOPER. Excuse me, Mr. Morgan.

Senator TYDINGS. Go ahead.

Mr. MORGAN. In order that we may be sure that we understand what we are talking about here, Mr. Service, are your comments with respect to what you told Mr. Gayn directed to this so-called "eyes only" document that relates to this matter?

Mr. SERVICE. That is right, sir.

Mr. MORGAN. In other words, does the document purport to be a memorandum prepared by Gayn on the basis of what you told him?

Mr. SERVICE. I was coming to that. It is my belief, my certain belief, from looking at this, that this is the text of the notes that Mrs. Gayn took down during the conversation that I had with Mr. Gayn that morning.

Mr. MORGAN. So this particular document is tied in, therefore, with your conversation with Gayn?

Mr. SERVICE. That is correct.

Mr. MORGAN. I see.

Mr. SERVICE. I think that these must be the notes which were written as a result of my conversation with Gayn.

Mr. MORGAN. And do those notes as set forth there, and does that memorandum accurately reflect what as you recall you told Mr. Gayn?

Mr. SERVICE. It was 5 years ago, sir. Generally speaking, I think it is reasonably correct. I think that there is some things here that I know that I did not say. I could not have said "this is a paraphrase of a telegram." After all, I was speaking from memory after 10 months, with no notes, no text of any message, and I would not myself have said "this is a paraphrase." I may have said, "The gist of the telegram was about as follows," and I don't know why misleading phrases such as paraphrase have been used.

Mr. MORGAN. May I see it a moment, please?

(Witness handing document to Mr. Morgan.)

The reason I have asked you the question about the tie-in, Mr. Service—and I want to be corrected if I am wrong—from looking at this document, and from the identifying data that the FBI has on it in its cover sheet, I am unable to find any connection between this as such and Mr. Gayn. Are you endeavoring here to explain the contents of the document by saying you discussed this matter with Gayn, or do you have reason to believe that this was the document that Mrs. Gayn typed? That is what I am trying to find out.

MR. SERVICE. I believe I said this morning, sir, that I have no recollection of having ever discussed this subject with Mr. Jaffe. I discussed it with Mr. Gayn on the basis of his preparing a series of articles on the Stilwell recall and requiring some background information. Mr. Gayn is the only person I discussed it with. Therefore, my only conclusion is that Mr. Gayn prepared a very complete and, perhaps, in some ways slightly distorted set of notes and gave a copy to Mr. Jaffe, and that that must be what this document is a reproduction of.

MR. MORGAN. That was what I had in mind.

MR. SERVICE. I notice that this is a reproduction of a carbon copy.

MR. MORGAN. Yes. In other words, if this is the memorandum that was prepared by Mrs. Gayn pursuant to your discussion with Mr. Gayn, then Gayn must have given this document to Mr. Jaffe for it to have been found in the Amerasia headquarters?

MR. SERVICE. That is my assumption.

MR. MORGAN. I see. All right.

MR. SERVICE. Now, as I was saying, I knew that the meat of this information, in fact the full facts and background, had been given to American correspondents in China and in India for background purposes long before, in fact in October of 1944. I knew also that the essential fact of the President's request in July 1944 had been made public knowledge through publication, particularly by the story of Brooks Atkinson on October 31, 1944.

I think, if you don't mind, if I may be permitted, I would like to read the pertinent paragraphs here.

I commence with the second paragraph of Mr. Brooks Atkinson's story:

For the last 2 months negotiations had been going on between President Roosevelt's personal representative, Maj. Gen. Patrick J. Hurley, and Generalissimo Chiang Kai-shek to give General Stilwell full command of the Chinese Government air forces under the Generalissimo and to increase China's participation in the counter-offensive against Japan.

Although the Generalissimo at first was inclined to agree to General Stilwell's appointment as commander, he decided later that he would accept any American commander except General Stilwell.

His attitude toward the American negotiations became stiff and hostile. At a private meeting of the standing committee of the Kuomintang (National Party) Central Executive Committee this month he announced the terms of his personal ultimatum to Americans who were pressing him for military and governmental reform.

He declared that General Stilwell must go, that the control of American lend-lease materials must be put in his hands and that he would not be coerced by Americans into helping to unify China by making terms with the Chinese Communists. If America did not yield on these points, he said China would go back to fighting the Japanese alone, as she did before Pearl Harbor.

MR. MORGAN. Does that complete your statement on that?

MR. SERVICE. Well, I was just saying, I would like to say that knowing all this background, knowing the fact that these were public knowledge, having an interest in a correct and factual presentation, I told Mr. Jaffe entirely from memory, I had no notes, no documents.

SENATOR TYDINGS. Do you mean Jaffe?

MR. SERVICE. I am sorry, Mr. Gayn, the gist of these messages. And I think if I may continue the final paragraph in what seems to be Mr. Gayn's memorandum here of the conversation—

MR. MORGAN. You are referring now to the so-called Eyes only document?

Mr. SERVICE. No, sir; I am referring now to this documents which bears the document number J-118A27.

Mr. MORGAN. In order that our record may be clear, the cover sheet on the document is a cover sheet placed there by the Federal Bureau of Investigation for purposes of its own identification relative to the documents that were seized in the Amerasia case. Now, insofar as the document itself is concerned, is there any identification on it for our purposes here?

Mr. SERVICE. There is a number—118A27 written on it in pencil, sir.

Mr. MORGAN. That would probably be the identification of the man who seized the document, so that would not be helpful. What is the heading of the document?

Mr. SERVICE. It is the paper we have been discussing here, headed "The Stilwell Affair and Hurley's Appointment."

Mr. MORGAN. Fine.

Mr. SERVICE. Which, as I have said, appears to be a copy of the notes made by Gayn or Mrs. Gayn of his conversation with me.

Now, I think it is very significant to look at the last paragraph, which is comment by Mr. Gayn apparently, and he says, I quote: "There is nothing new in these points, but they give confirmation to the reports already published in this country."

Senator HICKENLOOPER. I think, Mr. Chairman, that is a very significant statement—the fact that an official of the State Department confirms what otherwise has been classified as purely a rumor story and not attributed to any official sources. I think there is great significance in that particular confirmation from official sources. I merely call this to the attention in view of the comment the witness made.

Senator TYDINGS. The Chair is reserving his own opinion and will express it when all the evidence is in.

Mr. SERVICE. May I make a statement to that, Mr. Chairman?

Senator TYDINGS. Yes.

Mr. SERVICE. The Brooks Atkinson story of October 31, 1944, was held up for some time by the American censorship in this country. Mr. Atkinson was insistent that the story be published. He had the story from the highest sources and he had come to the United States for the particular purpose of publishing it. He had been informed by the managing editor of the New York Times that the story was released for publication by the President of the United States on the grounds that the story was factually correct, and Mr. Atkinson was here in the country and there was no reason why it should not be released.

Senator TYDINGS. What was the approximate date of that occurrence, as near as you can fixt it? When was the article published?

Mr. SERVICE. The article was published, sir, on October 31, 1944.

Senator TYDINGS. So this incident, these series of incidents which cleared for publication, which you allege, must have happened more or less simultaneously with the date of the publication of the story in the New York Times?

Mr. SERVICE. That is correct.

Senator TYDINGS. All right, go ahead.

Mr. MORAN. Mr. Service, I believe—and correct me if I am wrong in this—that you did make some reference to the practice followed of what we might call "scratching one another's backs" in exchanging information in China. Is that correct—a certain mutuality idea of passing on information to one party in exchange for information from another?

Mr. Service. That is true to some extent, depending on the kind of information. News reporting, descriptive information, why, certainly there was some cooperation.

Mr. MORAN. What I had in mind, of course, is this: Your relationship with Mr. Jaffe and Mr. Gayn was purely unilateral, you were not expecting to get anything back from them, were you?

Mr. Service. That is correct; it was unilateral, but these people, these men, had not had the opportunity to visit China, and therefore the information I was giving to them or making available to them was somewhat similar to what they would have picked up on the spot if they had been there. After all, there is a recognized interest in informing the American public.

Mr. MORAN. Did you at any time, Mr. Service, during the period of your association with these people suspect in any way that Jaffe was endeavoring to obtain official Government documents? I cannot believe you were so naive as to be completely suckered in on this. Did you suspect at any point there might be something rotten in Denmark about it all?

Mr. Service. The type of information that he was interested in was not unusual. It was the type of background information, descriptive information, that many people were interested in. He did not ask me specifically to give him Government documents until the meeting on May 29 when I flatly refused. But even at that time the documents which he wanted me to obtain were very innocuous, shall I say—the establishment of a Confucianism society in Chungking, which is a public event. I doubt if the dispatches reporting that event were even classified.

Mr. MORAN. Well, of course, copies of your reports which you gave him had been classified.

Mr. Service. They had been classified, some of them, some of them were unclassified. They had been classified unofficially by me at the time I wrote them in that classification.

Mr. MORAN. In that connection you manifestly thought the information contained therein was proper for purposes of classification or you would not have so classified them. Is that not a fair statement?

Mr. Service. That is a fair statement at the time that the material was written.

Let me explain it this way: When we went—when the American Army observer group went to Yenan in 1944, July 1944, the Communist areas had been blockaded for almost 5 years since 1939 and, for reasons of military security, because we were quite close to the Japanese lines and had to fly very close to Japanese territory, there was classification placed even on the fact of our being there. Very shortly, however, the fact that we were there became unclassified. Newspaper correspondents were in Yenan and were continually visiting Yenan. They reported the fact that we were there. They reported similar material to that which was contained in these descriptive reports.

By April 1945 a large number of people had returned to the United States who had been in the Communist area, newspaper correspondents, American officers, State Department people; an officer named Raymond P. Ludden, for instance, who had made a long trip through the Communist areas, had given a press conference, an official press conference, in the Department of State in March recounting his experience and summarizing his observations.

There have been several books written. So that the original need for classification on this descriptive material was by April 1945 no longer necessary. It was material which had become known to the press through writings, through press conferences, and so on.

Mr. MORGAN. That I understand, Mr. Service, and your explanation in that respect is very clear. What I am interested in, however, is this: Under the regulations, manifestly, which the State Department had propounded to its various officers with respect to the classification of documents, was it understood by the officers that whether they could or could not release classified information was a subjective matter, or that it required some formal action on the part of the agency in whose files the classified material appeared?

Mr. SERVICE. If you will pardon me, I think I will have to make a fairly detailed explanation of my status and the unusual circumstances under which I was working.

In some European countries the State Department had political advisers who retained a definite status and were formal representatives of the State Department operating an office of the State Department abroad. Actually, we were not in that status, I and the other officers assigned to Stilwell. We were just turned over to the Army. We did not report directly to the State Department, we did not maintain any State Department office.

Furthermore, in the Army we were not integrated into any particular staff section, we were handymen available for consultation or whatever missions might have to be assigned to. Now, if I had been working in a State mission abroad or in an office division of the State Department here, or even in a staff section of the Army headquarters, I would not be writing independent memoranda over my own name. Anything that I wrote which was to go beyond a particular office or unit with which I was concerned would have to be signed by the chief of that office. For instance, if I were working in an embassy, anything that I wrote would be in the form of a dispatch which would be signed by the Ambassador, and the same holds true for the Army organization.

Now, as an independent floating operator, I did from time to time, I was instructed from time to time, to prepare specific telegrams or reports, memoranda, for the signature of the commanding general, General Stilwell, or for staff sections. In those cases, I would never think of retaining a copy. I never did. Because if I wrote a telegram for General Stilwell, that was General Stilwell's telegram.

But to go back to my own, this reporting work which was fairly a major part, much of it was independent, voluntary work of reporting information that came to my knowledge. I would simply write it down in memoranda from over my own name. By arrangement, I would give a copy of it to the Army headquarters. Very often it was not of much use to them. I would give a copy of it to the Embassy, particularly if it was of political importance that we were interested.

Now, I would put on these my own, as I say, informal, unofficial classification at the time I wrote them, appraising the need for security classification of the information as of that particular time.

When I gave these memoranda to the headquarters or to the Embassy, I never knew what use they made of them. If the Embassy felt that the information was of some value, if it was new information or if it supplemented some information they already had, an officer in the Embassy would prepare a dispatch which would be signed by the Ambassador, which would summarize, comment on, and transmit my memoranda.

Now, they might observe my security classification, my suggested security classification, they might revise it. Very often they did. But I was not seeing those dispatches, and I did not have access to the Embassy files, so that I did not know what comment or what use the Embassy made of these.

I think the point is important to understand because when I gave a memorandum, one of these informal memorandums of my own personal observations, to the Embassy, and when the Embassy then commented on it, evaluated it, said whether they agreed or disagreed, and forwarded it under copy of dispatch to the Department of State, that changed the character of my paper. But I never had access to those official papers, and I have never shown them to any unauthorized person.

Similarly, the Army would take one of these memoranda which, you might say, was intelligent working material, and if they thought that this was worth forwarding to higher echelons, they would also place on it a cover sheet, assigning it their own official classification, which sometimes varied from mine, my recommended one, evaluating the source, an official evaluation of the source, usually summarizing the material, very often commenting on it. But since I was not working in G-2 or actually an integral part of the headquarters, I also had no access to these official evaluations and comments on my material. All that I had and all that I showed Mr. Jaffe were the basic original copies, my personal copies, of these memoranda which had never passed through official hands, which had never been a part of any official files.

Mr. MORGAN. Let me be sure I understand that. Do you mean to say that these copies of the memoranda, your reports, that you showed to Mr. Jaffe, at no time did any of those reports ever become a part of the official State Department files?

Mr. SERVICE. They did only if they were transmitted to the Department of State by an official dispatch which commented on them and evaluated them and gave the Ambassador's opinion on it.

Mr. MORGAN. But you had never seen them?

Mr. SERVICE. I had never seen those.

Mr. MORGAN. Well, insofar as you know, then, a document that you might regard as, let us say, confidential, might at the time transmitted to the appropriated department in Washington be regarded top secret?

Mr. SERVICE. That is quite possible, sir, and they did raise sometimes the classification on my documents. But there again, part of the reason, possibly one of the reasons for their raising the classification would be the Ambassador's comments on what I had reported.

Mr. MORGAN. But insofar as you knew at the time you gave them to Jaffe, documents bearing a low classification may have been resting in the State Department files with the highest type of classification. Is that not correct?

Mr. SERVICE. That is correct, yes, sir; and I didn't even know whether the memoranda which I allowed Mr. Jaffe to see had ever been transmitted to the Department. I didn't know whether they were in the Department files or not.

Mr. MORGAN. Going back to this rather anomalous position that you apparently had in that China set-up, did you have no regulations with respect to classified material that guided you in the classification that you made?

Mr. SERVICE. We knew what the classifications were, sir, but there were no detailed regulations. I was working in a very informal status. Of course, the tendency was to classify almost everything and to grossly overclassify, and many of the classifications were purely, shall we say, temporary classifications, because since I had good contacts and did often get advance information, it would be classified or should be classified only until the events took place or until the newspaper correspondents got the same information and it became general knowledge.

Mr. MORGAN. Of course, that is one of the reasons, Mr. Service, that I am asking you these questions, not necessarily by reason of the content of the material but by reason of the classification system. As you know, this committee is very much concerned about the classification problem because, manifestly, this promiscuous classification of materials to which you refer tends to vitiate that material which properly warrants a high classification. Do you have any observations on that score that might be helpful to us? For example, why would you put on a document "Secret" or "Confidential" or something else? What criterion, what standard, did you have over there in doing that?

Mr. SERVICE. It is hard to be specific or to be all-inclusive. As I have said, if I had information of a pending event, I would classify it, that the classification should continue until after the event took place. If I obtained information in confidence from one newspaperman, I would put a classification on it simply so that I could protect his confidence or his sources. It would not be given to someone else.

Now, in China a great deal of our information was obtained not necessarily from critics of the Government but from people within the Government who were unhappy and dissatisfied with the situation and the progress of events. These sources had to be classified.

During the war there was fairly extensive exchange of information between ourselves and our allies, and if a document had low classification, fairly extensive circulation through our own American agencies, very often it was wise to protect your sources, to restrict that circulation.

Mr. MORGAN. We have had some suggestion here of the possibility of classifying documents with a view to expediting transmittal. Is that a consideration?

Mr. SERVICE. I would not say it was a particular consideration in my case, since I did not transmit anything beyond the headquarters to which I was physically attached or to the Embassy which was in the same city. I think you are correct that that is often a background

consideration, that people will pay more attention and it will get faster treatment if highly classified.

Mr. MORGAN. Well, here is a question, Mr. Service, that I would like for you to answer for me if you can. Bearing in mind your position there in China, what was your understanding with respect to the situation or circumstances under which you properly could be permitted to make available, let us say, to people like Jaffe and Gayn the information which appeared in the reports that you submitted? Was there any point at which it was understood that it was satisfactory to do that, or was it purely left to the employee?

Mr. SERVICE. It was purely left to the judgment of the employee. And if he is going to get ahead in the Service, he has demonstrated that judgment, because his judgment is constantly under scrutiny. But there is no definition, there cannot be, as to what is background information or what is permissible background information.

Mr. MORGAN. Is that applicable merely to the peculiar situation that you occupied in China, or is that true with respect to all regulations with respect to classification at that time?

Mr. SERVICE. I would say that is true with respect to everyone—to the whole scope.

Mr. MORGAN. Well, why then did you have to take Mr. Jaffe to the State Department to seek clearance on the release of an FCC item, I believe, to him?

Mr. SERVICE. Because, for one thing, I was not interested in being an errand boy for Mr. Jaffe.

Mr. MORGAN. I can well understand that but you became more of an errand boy by going to the State Department and getting it cleared than if you had just passed it on to him, if it was purely a subjective matter.

Mr. SERVICE. I did not particularly like Mr. Jaffe after the initial meeting. I was annoyed over the whole incident of his promising to read the memoranda and then return them, and then saying, "I am sorry, I haven't had time to read them. Can I borrow them?" He wanted me really to go over to the State Department and get this broadcast. I knew nothing about the broadcasts, the handling of them, it was not my job. It was not material that came over my desk. I simply said to him, "Well, come on over to the Department with me and I will introduce you to the man," and I did so.

Mr. MORGAN. Of course, manifestly in that instance it was your understanding that clearance was required to get the release of the document; is that right?

Mr. SERVICE. I did not know. Frankly, I did not know.

Senator LODGE. Mr. Chairman, on that point, I would like to ask you Mr. Service, why you always went to see Jaffe to turn over the documents. Why didn't Jaffe come to your office in the State Department?

Mr. SERVICE. Well, you say, sir, why did I always—

Senator LODGE. That is what the testimony indicates.

Mr. SERVICE. That was only one instance when I allowed him to have them. I would say the reason was that I was sharing an office in the State Department. It was much more convenient—with people coming and going, and so on—it was much more convenient for me to let him read them in his hotel room. There was nothing, to my mind, out of the way about it.

Senator LODOR. I did not say out of the way, I just wondered.

Mr. SERVICE. In Chungking—

Senator LODOR. If he was wanting something and you were not wanting anything from him, why did he not come to you?

Mr. SERVICE. It was not far out of the way for me. It seemed like a simple and convenient way to let him read them.

Senator TYDINGS. I would like to ask you a question there, Mr. Service, that I think ought to be cleared up. How many times did you give any memoranda or other papers of any kind or description to Mr. Jaffee? I mean by that, on how many different occasions. Was there one, two three, or more? Now think before you answer—as near as you can recall.

Mr. SERVICE. I have testified that on April 19—

Senator TYDINGS. That was one time.

Mr. SERVICE. I took with me a memorandum in which Mao Tse-tung stated the current policy, attitude of the Chinese Communist Party.

Senator TYDINGS. That was one time.

Mr. SERVICE. The next morning I took over—

Senator TYDINGS. That was the 20th?

Mr. SERVICE. At his hotel a number—I don't have any positive recollection—8 or 10.

Senator TYDINGS. Eight or ten what?

Mr. SERVICE. Personal copies.

Senator TYDINGS. Personal copies.

Mr. SERVICE. Of these descriptive memoranda,

Senator TYDINGS. Of the kind we have been discussing?

Mr. SERVICE. That is right.

Senator TYDINGS. And after April 20, when did you give him some data?

Mr. SERVICE. On May 8, I believe it is.

Senator TYDINGS. May 8?

Mr. SERVICE. I took over to the hotel and handed him in the lobby a copy of an English language broadcast by—

Senator TYDINGS. That was the monitor proposition to which we have had reference, and was not classified in any way?

Mr. SERVICE. That is right. And I have no recollection, as far as I know I never gave him or allowed him to see any documents of any sort in any other case.

Senator TYDINGS. There were only three occasions—April 19, April 20, and May 8—and on April 19, to summarize, you gave him this alleged statement or interview from Mao Tse-tung; on the 20th, you took over some 8 or 10 of your own personal observations and let him read those, and on May 8 you gave him the broadcast, the Yenan broadcast, to which there has been reference made. Now, were they the only occasions in which you gave him documents, and were they the only documents that you ever transmitted to him directly or indirectly by yourself or through an agent?

Mr. SERVICE. Yes, sir; although I think on the 20th I also may have let him see a translation of a Chinese booklet.

Senator TYDINGS. Well, that was not a document, though?

Mr. SERVICE. No.

Senator TYDINGS. I am talking about things that had to do with the matter that brings on this investigation.

Mr. SERVICE. That is correct.

Senator TYDINGS. So they were the only three occasions?

Mr. SERVICE. That is right.

Senator TYDINGS. Now, did you ever send him any papers of yours or any others other than books—I don't mean that, I mean books you could buy in the book shop—but did you ever send him any papers of the kind you are discussing here, through a messenger or through any other person or through any other friend or through any other human being?

Mr. SERVICE. No, sir, I have never had any written communication with him, nor have I sent him material or communication through any third party.

Senator TYDINGS. Now, on the morning of April 20 when you took over these own personal observations of yours that you had gathered, that was the time when he was to read them over, as I recall your testimony, return them to you that day or approximately currently?

Mr. SERVICE. That is my recollection.

Senator TYDINGS. Instead of that, he took them to New York, and they are the documents you picked up in New York when you went up there later?

Mr. SERVICE. That is correct.

Senator TYDINGS. Did you get all of them back that you gave to him?

Mr. SERVICE. As far as I know, I did.

Senator TYDINGS. And now we have gone over that part of it, I would like you to summarize the times that he ever gave you any documents, either your own or any others. As near as you can recall that now. Think that out and we will get it in the record.

Mr. SERVICE. The only occasion that I have any recollection of is April 25 when he returned to me these copies of personal memoranda which I had loaned him.

Senator TYDINGS. And they are the ones you let him have on April 20?

Mr. SERVICE. That is correct.

Senator TYDINGS. Now, on the dates of April 10, April 20, April 25, and May 8, were they the only times that any documents with which you had any connection passed either from you to Mr. Jaffe or from Mr. Jaffe to you either directly or through the mails or through an agent or through a friend or through any other human being? Were there any other times that you can recall except those four?

Mr. SERVICE. There were no other times, sir; those were the only times.

Senator TYDINGS. All right.

Senator Lodge. On that point, Mr. Chairman, were there any times when you communicated information to him verbally in conversation?

Mr. SERVICE. Well, Senator Lodge, we certainly conversed together.

Senator Lodge. What are the dates when you conversed with him?

Mr. SERVICE. There was some conversation, certainly, on every date on which I saw him. I think the record of surveillance and my statement covers those dates. Do you want me to review them, sir?

Senator Lodge. Yes, I want to make this compilation complete. I think it ought to show all the contact that you had with Jaffe, both as to documents and as to occasions when you may have conveyed information to him verbally.

Mr. SERVICE. I met him first on April 19, 1945. I saw him again on April 20. I saw him in a large group of people where, as I remember it, there was no conversation specifically with him, on the evening of April 24. I saw him very briefly in the office of Amerasia on April 25. I saw him in Washington, I think, on the morning of April 8.

Senator LODGE. What?

Mr. SERVICE. May 8.

Senator TYDINGS. May 8.

Mr. SERVICE. I saw him briefly at Miss Mitchell's on the evening of May 18.

Senator LODGE. May 18?

Mr. SERVICE. Yes. I saw him during the day when we went out to Long Island, had lunch, and came back on May 19. I saw him during the evening of May 20 at Roth's party, which is described in my statement.

Senator LODGE. Does that conclude?

Mr. SERVICE. I might say there is some confusion in my own mind about the May 8 date, and I rely really on the FBI report of surveillance as published in testimony before the House committee. But as far as I know, those are all the times.

Senator LODGE. Those are the dates to the best of your knowledge and belief?

Mr. SERVICE. Yes.

Senator LODGE. Were there any times you talked to him on the telephone without seeing him?

Mr. SERVICE. Yes; there were a number of telephone conversations. I think all except the very first, when I called him at the hotel, would be at his suggestion or request. There were a number of times when he telephoned me asking me to meet him or make arrangements for my going to Mitchell's, or making arrangements transmitting the invitation from Bisson. There were no cases or no instances of any telephone conversation that I recall dealing with any substantive information, they were all conversations concerning arrangements or—

Senator LODGE. Did he initiate most of the telephone calls, or did you?

Mr. SERVICE. He initiated all of them except for the first one.

Senator LODGE. He initiated all of them?

Mr. SERVICE. Yes, sir.

Senator LODGE. All right; thank you.

Senator TYDINGS. Thank you. Go ahead.

Senator HICKENLOOPER. If I can interrupt, Mr. Morgan—

Senator TYDINGS. Senator Hickenlooper would like to interrupt for a moment because he may be compelled to be absent.

Senator HICKENLOOPER. Would you pass me that document there, the Q document?

Mr. MORGAN. The witness has it.

(The document was passed to Senator Hickenlooper.)

Senator TYDINGS. Go ahead.

Senator HICKENLOOPER. Mr. Service, this document that I showed you this morning and referred to as Q-816, which is on the cover sheet of the FBI and to which you have referred as, in your opinion, a transcription of stenographic notes taken by Mrs. Gayn—I believe it was?

Mr. SERVICE. Yes, sir.

Senator HICKENLOOPER. I believe you thought in general this is a reasonably correct reporting of the substance of your conversation at that time?

Mr. SERVICE. I mentioned several details there, such as the use of the word "paraphrase," which I could have hardly used. I have no very clear complete recollection of the conversation after 5 years. It is over 5 years.

Senator HICKENLOOPER. But as far as you know at the moment it represents a fairly accurate résumé of that conversation with certain discrepancies or variations such as you pointed out. Would you say that is correct?

Mr. SERVICE. I might like to look at it more closely, sir. I haven't studied it in detail.

Senator HICKENLOOPER. Well, you had it during the noon hour, and I thought that was the purpose—that you were examining it carefully during the noon hour.

Mr. SERVICE. Well, I would say in general it probably—

Senator HICKENLOOPER. Yes?

Mr. SERVICE. It may be a summarization, and I am sure it is a summarization. If it is a summarization, you always have some distortion and change.

Senator HICKENLOOPER. I understand that. But that being the case, and it being a reasonably accurate summarization, with perhaps some slight distortion, I would like to call your attention to the very opening paragraph in this statement, in which it says:

This information classified as "top secret—eyes only" is supplied by John S. Service. A special caution must be shown in the use of the two White House messages to Chiang Kai-shek whose text is given below.

Mr. SERVICE. That, of course—

Senator HICKENLOOPER. Of course, the point of my question is this: You have examined this document. You said it is a fairly accurate résumé of the information you passed on to Gayn at that time. And as the record stands at this moment, it would seem to me that the information that it was top secret and a special caution should be used in certain of these things must have come from you with your knowledge.

Mr. SERVICE. Thank you, Senator Hickenlooper. I had not thought that your question of whether or not that was a complete or accurate résumé of what I had said commenced with that paragraph. I consider that as introduction, which was obviously written and placed there by the writer.

Senator HICKENLOOPER. Then, would you say that the writer just pulled out of the clear sky the idea this was top secret after talking to you?

Mr. SERVICE. Oh, no; it is quite likely, in fact, that he may have said something to me about, "Well, now, how much use can I make of this material?" And that I said to him, "Well, this is background information that I am telling you so that you will know how the affair started, so you don't go off on a limb as other people have."

Senator HICKENLOOPER. Is it possible you said:

This is top-secret information and you must be careful about the use especially of the two White House messages to Chiang Kai-shek.

Mr. SERVICE. It is quite possible that I said this material was originally contained in "eyes alone" message, and "You should confirm it from other sources or get it from official sources before using it." I don't believe that that is unusual in giving guidance and background information, to tell a newspaperman that he is not able to use it or he is not able to use it without attribution.

Senator HICKENLOOPER. In the last paragraph of this document which apparently—that is, at least I assume it is—is a résumé of that conversation, it says:

There is nothing new in these points, but they give confirmation to the reports already published in this country. At present, Service says, there is some improvement in the Chinese Army, for some units had been given diluted training. Troops thus trained, of course, do not come up to the standard of the divisions trained at Rangoon, India, where the Chinese were given regular GI training. Every Chinese division is now accompanied by a team of United States advisers and instructors—perhaps 10 to a division. Unless I am mistaken, Service said that the Mars force has been disbanded and split into teams assigned to instruct Chinese units.

Would you not consider that would be very important military information?

Mr. SERVICE. No, sir; it is not. At that time it was well known to every newspaper man in China, and I am sure that a study of news reports and writings at that time would bear me out, that that was the type of material which was known and was reported.

Senator HICKENLOOPER. Now, Mr. Service, I confess to being a little hazy as to the scope of your authority or activity. Since I am somewhat confused on it, I do not believe it will serve any purpose to go into that and repeat again what you said. But you were actually in the Foreign Service at the time you served with the Army in China. Is that not correct?

Mr. SERVICE. That is correct.

Senator HICKENLOOPER. You were temporarily assigned to the military forces there?

Mr. SERVICE. That is correct.

Senator HICKENLOOPER. That is, on the staff of General Stilwell or the commanding general?

Mr. SERVICE. For whatever purposes he might wish to use me.

Senator HICKENLOOPER. That is correct. Could the Foreign Service recall you at any time if they wanted to, back specifically into the Foreign Service?

Mr. SERVICE. They could not have recalled me unless I had been released by the Army, and I assume that it was understood that I would not be recalled except with Army approval.

Senator HICKENLOOPER. Now you were engaged in gathering intelligence for the United States Government, whether it was for the military forces or whether it was for the State Department; is that correct?

Mr. SERVICE. That was one of my functions, sir.

Senator HICKENLOOPER. And, as Mr. Morgan brought out a moment ago, you had no way of knowing generally whether a classification which you had put on a report which you may have filed could have been raised to a more important classification after it left your hands.

Mr. SERVICE. Or reduced.

Senator HICKENLOOPER. Or reduced or altered. That is correct, is it not?

Mr. SERVICE. That is correct.

Senator HICKENLOOPER. Did you have any direct information as to whether or not the classification had been removed from any of these documents or from this information which you gave to Mr. Jaffe or to the Gayns, from any official sources, had it been officially declassified in any way?

Mr. SERVICE. I did not have official knowledge that official action had been taken to declassify the copies of these memorandums which might have been commented on and evaluated and then placed in official files. However, as an officer familiar with the field, with the whole subject matter, I did have knowledge that the content of these reports was no longer such that required the maintenance or retention of a high classification.

Senator HICKENLOOPER. Were you in such a supervisory or administrative capacity that you could exercise your own judgment as to when declassification was proper or not proper?

Mr. SERVICE. I was not declassifying any Embassy dispatches, Department of State papers, or Army papers. I was an officer who had been given a good deal of responsibility and initiative in background, briefing of the press, and it is customary to allow officers in such position to use their own discretion and judgment in determining what information is appropriate to classify as background.

Senator HICKENLOOPER. Do I understand you to say that an officer who goes out to secure information and intelligence for the Government, either in the State Department or the Army, and retains a copy of what he has developed, the originals of which he has forwarded to his superiors, has a right to go around at his discretion and release or withhold information with regard to that whenever he deems it proper within his own judgment?

Mr. SERVICE. I would say that in my circumstances it was not improper, sir.

Senator GREEN (presiding). Just one question in that connection. Did you ever know how the State Department had classified the information that you had furnished them?

Mr. SERVICE. No, sir; I did not; and I did not know how much of it had reached the State Department or how many of these memorandums had been transmitted by dispatch to the Department of State.

Senator LODGE. Mr. Chairman?

Senator GREEN. Senator Lodge.

Senator Lodge. I confess to still a certain amount of curiosity, Mr. Service, as to why you went to see Jaffe rather than having him come to see you. I have worked a number of years as a newspaperman and as an official, and it is customary certainly for a newspaperman to go and look up the official. Yet in your case you always went to see him. Was it because you were suspicious of Jaffe? Is that the reason?

Mr. SERVICE. No, sir; not at all. Now in the case of Mr. Gayn, he did come and look me up.

Senator LODGE. He did look you up?

Mr. SERVICE. Gayn came to the State Department, and then we went out to lunch together.

In the case of Mr. Jaffe, as I mentioned, I telephoned to him and we tried to arrange a time of meeting. For some reason it was inconvenient for him to come over to my office during office hours, and the only time we could arrange that seemed to be convenient was for me to stop at his hotel just before the time for Roth's party and for us to both go together, sharing a taxi.

Now, it is true for some newspapermen, particularly, I would say, the daily working press, picking up spot news, probably most of his contacts are in the office. He goes around to see the man on the desk, check this report or that report. However, for the man who perhaps corresponds to the British idea of a correspondent rather than newspaper reporter, for the research man, for the newspaper writer, the man who is interested in background material, in interpretation, I believe that you will find that most of the contacts are not normally in the office sitting down one man across the desk from the other; that they are usually on a personal basis, usually at meals or at home and so on.

Senator LODGE. Were you very busy when you were in the United States at that time in April or May of 1946?

Mr. SERVICE. Yes; I was quite busy. I had just come back from the Communist area.

Senator LODGE. And yet you took the time to go look up Mr. Jaffe rather than have him come to see you.

Mr. SERVICE. It was time outside of office hours, sir. I went over to his hotel, I think that the record of surveillance shows, at 8:50 p. m. I was fairly busy, mostly in going around to the various Government agencies that were interested in China at their request to be interrogated by their research people on China.

Senator LODGE. You had no thought that it might have been embarrassing to you to be seen in your office in the State Department giving these documents to Jaffe?

Mr. SERVICE. No, sir.

Senator LODGE. You would have been perfectly willing to give him the documents in the State Department?

Mr. SERVICE. Certainly.

Senator LODGE. You were perfectly willing to have your colleagues see it?

Mr. SERVICE. Oh, yes.

Senator LODGE. Thank you.

Senator HICKENLOOPER. Mr. Service, do you know Owen Lattimore?

Mr. SERVICE. Yes; I have known him slightly for some years.

Senator HICKENLOOPER. Did you know him in China?

Mr. SERVICE. I met him in Peking for the first time, I believe, in 1936, or possibly at the end of 1935.

Senator HICKENLOOPER. Was he at Yenan when you were there?

Mr. SERVICE. No, sir; he was not in China, I believe, during the periods when I was in Yenan.

Senator HICKENLOOPER. I see. Have you ever visited Lattimore's home?

Mr. SERVICE. Yes; on two occasions I think, or possibly three.

Senator HICKENLOOPER. Social visits?

Mr. SERVICE. Purely social visits.

Senator HICKENLOOPER. Meals or anything of that kind? Have you ever been there for meals?

Mr. SERVICE. Yes; I have spent—I think I spent one night with him and his wife in 1944, and I spent a week end with other people at his home in June 1945.

Senator HICKENLOOPER. Who else was present at those times, if you recall?

Mr. SERVICE. I don't have a very clear recollection of the night that I spent there in 1944. I believe that there was a relative or member of either Mr. Lattimore or Mrs. Lattimore's family, but I cannot be positive. Also I was there on that occasion for Sunday dinner, and my recollection is that they had some guests in. I do not remember who the guests were.

In 1945, as far as I recollect, the other guests that week end were Lieutenant Roth and Miss Rose Yardoumian, and for Sunday dinner they again, as I believe their custom is, had two or three couples in for dinner.

Senator HICKENLOOPER. Did you ever say to Mr. Jaffe in his hotel room in the Statler Hotel in Washington this or this in substance—that the military information contained in these documents is, of course, secret or top secret and must not be or must be carefully handled?

Those might not be the exact words, but those are the substance of what I have said.

Mr. SERVICE. Well, I think, sir, the fact is that I did not give him any documents dealing directly with military matters nor—

Senator HICKENLOOPER. Let's not confine ourselves to the word "documents." Either documents or the information, the military information, which I am giving you, or which is contained herein, is, of course, secret. Did you ever use that expression to him at all in his room, or the substance of an expression of that kind?

Mr. SERVICE. I do not recall it, sir.

Senator HICKENLOOPER. Do you think you would recall it if you had used it?

Mr. SERVICE. No; not necessarily; because if we were discussing the over-all picture, as we very likely may have been, I may have said, made some general statements for his own background information but not for publication in his magazine even without attribution.

Senator HICKENLOOPER. Did you give him any information at any time that was secret military information?

Mr. SERVICE. Well, the terms are so broad there, sir, the fact that practically everything that was written in those days was in its original form written in a report that was classified, that I could not say that we never discussed anything that would not be technically considered secret or had at one time been considered secret, nor can I say, since military affairs were so inextricably tied up with the political, that we did not at some time touch on something which had military significance. In fact, that would be my expectation. I would expect that we had, because you could hardly discuss any phase of the situation in China without it bearing on some relation to the war.

Senator HICKENLOOPER. How much time did you spend in the Amerasia office on the occasion when you called on Mr. Jaffe there?

Mr. SERVICE. My recollection, and it is very hazy, is perhaps half an hour.

Senator HICKENLOOPER. Did you look over the Amerasia set-up there and its printing plant?

Mr. Service. They showed me around. All that I remember seeing is a large sort of a library workroom and the office, small office, at the end of the hall where I briefly met and spoke to Miss Mitchell. I did not see any other rooms or see any photographic or printing equipment.

Senator HICKENLOOPER. Do you know Tung Pi-wu?

Mr. Service. Certainly. He was the Communist official representative in Chungking.

Senator HICKENLOOPER. Have you met him here in the United States at any time?

Mr. Service. Yes, I saw him briefly, I think, in the very early part of August 1945.

Senator HICKENLOOPER. Where was that meeting?

Mr. Service. In Washington, D. C.

Senator HICKENLOOPER. And where in Washington?

Mr. Service. Well, I went out to dinner with him, a dinner which was given by someone else.

Senator HICKENLOOPER. Who?

Mr. Service. I think Capt. Paul Linebarger, at that time in the United States Army. As I recall, it was arranged that I would—since I had known him, it was arranged that I would go to his hotel, which I think was the Raleigh Hotel, and pick him up and take him to Captain Linebarger's dinner.

Senator HICKENLOOPER. And who was there at the dinner in addition to Captain Linebarger and yourself and Tung Pi-wu?

Mr. Service. I think there was a secretary of Mr. Tung's named Chen, and an American Foreign Service officer named Everett F. Drumright.

Senator HICKENLOOPER. And any others that you recall?

Mr. Service. No, sir; no one else that I recall now.

Senator HICKENLOOPER. Did you meet with him again on any occasion in the United States?

Mr. Service. No, sir. My recollection is only that one occasion.

Senator HICKENLOOPER. Did you ever discuss landing operations with Mr. Jesse—landing operations of the American or other troops in China or in that area?

Mr. Service. Well, certainly, as I mentioned this morning, sir, there was some discussion, must have been some discussion—I am speculating—simply because at that particular time everyone was interested. Admiral Nimitz himself had made a press statement in March, I believe, of 1945 saying that we must land on the coast of China, and I am sure that we must have discussed the general question of whether or not there would be landings. But I had no knowledge of it, when, or where those landings might take place.

Senator HICKENLOOPER. Did you have any comparable contacts with other newspapermen or newspaper writers during this period of repeated contacts with Mr. Jaffe and the Gayns and Katherine Mitchell—and I believe Mr. Bisson was among some of those that you saw?

Mr. Service. Yes, I had quite a number of conversations with various newspaper people.

Senator HICKENLOOPER. Did you give them copies of your memoranda and the information in your possession such as you gave to Mr. Jaffe?

Mr. Service. Oh, I think that the discussions would be generally similar. Of course, your conversation with anyone, whether newspaperman or anyone else, depends partly on his own expertise or interest or thorough command of the field. Now a newspaperman or reporter who is not specializing on the Far East, who is not collecting information for detailed background newspaper articles, is much more interested in spot news and is not apt to want to go into details in the same serious way or studious, academic way. I talked at great lengths, for instance, to a couple of editors of Fortune magazine who were preparing an article on China.

Senator HICKENLOOPER. Did you give them copies of your memorandum that you furnished Mr. Jasse?

Mr. Service. No. They didn't ask for any. I undoubtedly would have if they had felt they needed them to cover more thoroughly some of the points that they were interested in in writing their article.

Senator HICKENLOOPER. At the time of your arrest in connection with the Amerasia case, Mr. Service, who posted or was surety on your appearance bond at that time?

Mr. Service. Do you mean, Senator, the name of the bondsman?

Senator HICKENLOOPER. The name of—yes, who went surety on your appearance bond. I assume you posted one?

Mr. Service. I believe that his name was Weinstein, but that is just out of the back of my mind. I had some difficulty in communicating with my relatives, my family was away, and it took me some time to get in touch with my sister-in-law who happened to be here in Washington. And she consulted a lawyer who suggested this Mr. Weinstein, I believe his name is, who is a professional bondsman. She raised \$500 which was paid to him as his fee, I believe, and he was the man who signed the bond for me.

Senator HICKENLOOPER. Do you know Lauchlin Currie?

Mr. Service. I have known him slightly from time to time, sir.

Senator HICKENLOOPER. Where has this acquaintance been—in this country or abroad?

Mr. Service. Yes, first—it has been entirely in this country. In 1943 I was here in the Department of State on consultation, I think, during the month—late January and February—and Dr. Currie, who was—I forgot the exact title—executive assistant in the White House, especially concerned with China, I believe, requested that I come and talk to him, and we had some conversation. I have seen him—I think I saw him on each occasion that I returned to the United States, although by 1945 he was not especially concerned any longer with China affairs.

Senator HICKENLOOPER. Did you see him in 1945?

Mr. Service. Yes, I think I did.

Senator HICKENLOOPER. And what were the occasions of your meeting with him—at the White House or at other places or where?

Mr. Service. His office was in the old State, War, Navy Building, which was where the State Department offices also were at that time, and I think that every time I have met him has been in his office except one occasion when I think I had supper at his home.

Senator HICKENLOOPER. When was that supper at his home?

Mr. Service. Well, I cannot be positive, but by reconstruction I believe that it must have been in November 1944.

Senator HICKENLOOPER. Have you ever discussed at any time or conferred with Dr. Currie about your connection or association in the Amerasia case or the facts involved?

Mr. SERVICE. Yes. In 1945 I had some conversation with him for advice particularly on what I should do.

Senator HICKENLOOPER. Do you know David K. Niles?

Mr. SERVICE. No, sir; I don't believe I ever met him.

Senator HICKENLOOPER. You never met Mr. Niles?

Mr. SERVICE. Not that I know of.

Senator HICKENLOOPER. I have a number of other questions, but I am going to refrain now. I think Mr. Morris might have some of his own. I have to catch an airplane. That is why I took the liberty of interrupting you, Mr. Morgan, because I was afraid by the time you got thorough, some of these questions I could not ask. So I am finished for the moment.

Senator GREEN. You may be excused.

Senator HICKENLOOPER. I shall stay a little longer, but I do have to catch a plane.

Senator GREEN. Senator Lodge!

Mr. MORGAN. I have a few questions to conclude my examination, if that is all right at this point, Mr. Chairman.

Senator GREEN. Very well.

Mr. MORGAN. I presume, Mr. Service, if I were to outline to you the documents attributed to you, that is as the author of the documents which were found in Amerasia headquarters, that you could make no observations with respect to them, is that right, in view of what you have said this morning?

Mr. SERVICE. May I hear your question again, sir?

Mr. MORGAN. Well, I was trying possibly to cut things somewhat short here. I have before me a list of a great many documents that were recovered in the Amerasia headquarters in New York at the time of the arrest. One, for example, let us say, is a letter from Service to the Secretary of State regarding conversations with General Lin Win Hu, approved for transmission by George Atcheson, dated March 22, 1945. Do you know anything about that document?

Mr. SERVICE. I have no recollection of it now, except that I know I could not possibly have shown it to Mr. Jaffe.

Mr. MORGAN. That is my point—if I were to ask you concerning these various documents down here, interpreting your testimony this morning, as I remember, that all of the documents which you had shown or given Jaffe were returned to you, none of these documents I must assume are documents that you had given Jaffe, is that correct?

Mr. SERVICE. I haven't seen the list you have, sir, you see.

Mr. MORGAN. These are documents, Mr. Service, the list that I have, and it may be that I will have to refer to them—a list of documents found at Amerasia headquarters at the time of the arrest.

Mr. SERVICE. Yes.

Mr. MORGAN. Now correct me if I am wrong, but as I understand your testimony, none of the documents which you had shown to Mr. Jaffe had been retained by him, they had been returned to you prior to June 6, 1945?

Mr. SERVICE. That is correct.

Mr. MORGAN. So when I refer to this letter, for example, dated March 22, 1945, your observation is what? This document was found there at the time of the arrest.

Mr. SERVICE. Yes, but you mentioned that was a copy of a dispatch. Now you see I never had any copies of any dispatches and never showed anyone any copies of dispatches. So as soon as I realized what you were referring to was a copy of a dispatch from Mr. Atcheson, Charge d'Affaires of the Embassy, it was impossible for me to have shown it.

Mr. MORGAN. Let's go on. Also found in Amerasia headquarters was a copy of your report No. 14 of the 1945 series dated 8-10-45, March 16, 1945, on "The Communist Views in Regard to Mongolia." Do you remember that report which you prepared?

Mr. SERVICE. I remember the report.

Mr. MORGAN. Did you give it to Jaffe?

Mr. SERVICE. You see there is an element in here that I don't know whether Mr. Jaffe made copies of the things.

Mr. MORGAN. That is what I am trying to clarify.

Mr. SERVICE. I don't know whether he made them or not. Now the piece of paper that was found in Mr. Jaffe's possession could not have been the paper I allowed him to see. That particular report is, I believe, an unclassified report purely descriptive of the Communist thinking regarding Mongolia as they stated it publicly and as they said in their publications. It would be quite possible because that is the type of material—it is quite possible that I did allow Mr. Jaffe to see my personal copy of that particular report.

Mr. MORGAN. Incidentally, in that connection, did you keep a list of the reports that you did let Jaffe see? Do you know which ones you did let him see?

Mr. SERVICE. No, sir; I did not. Could I ask, sir, is that an ozalid reproduction?

Mr. MORGAN. It is.

Mr. SERVICE. You see I never gave Mr. Jaffe any ozalid copies because those would have been the official property of the United States Government. The only thing that I had were my original carbon copies.

Mr. MORGAN. Your testimony is that this ozalid copy of your report 14 was not given by you to Jaffe?

Mr. SERVICE. That is correct, it was not given by me to Jaffe.

Mr. MORGAN. Also found was your report No. 13 of 1945 dealing with "Communist Views in Regard to Sinkiang." I suppose since that is an ozalid copy, you did not give that to Jaffe either?

Mr. SERVICE. I did not, although there again, sir, it is possible I may have allowed him to see my personal carbon copy because I believe that again is an unclassified report. In any case it is a purely descriptive report. An ozalid copy was not anything which I gave to Mr. Jaffe.

Mr. MORGAN. Also found was an ozalid copy of your report No. 15—"The Policy of Chinese Communists Toward the Problem of National Minorities." I presume it is the same answer with respect to that, is that correct?

Mr. SERVICE. The same answer—I did not give him that ozalid. Senator Lodge. What is an ozalid copy?

Mr. MORGAN. An ozalid copy, as I understand it, Senator, is one in which you reverse the carbon, type the original, with the carbon thus appearing on the back of the original and thereafter use the original for producing the copies. It is a process of reproduction. Is that not correct?

Senator LOXIS. How do you spell it?

Mr. MORGAN. O-z-a-l-i-d.

Senator GREEN. Will you answer the question, please?

Mr. MORGAN. I think he has answered to my question, Senator.

Senator GREEN. He has not answered since you asked it the last time.

Mr. MORGAN. If there is a question pending, Mr. Reporter, you might read it.

(The question was read by the reporter)

Senator GREEN. Go ahead.

Mr. MORGAN. You were going to make some comment, Mr. Service?

Mr. SERVICE. I was going to try a brief explanation for Senator Lodge of an ozalid process. It is a means of reproducing writing on thin semitransparent paper by passing it under a strong light over a sheet of sensitized paper. It is very similar basically to the photostat process, except that I think the impression on the sensitized paper is brought out by ammonia fumes. It was used a great deal by the State Department during the war because we typewrote our dispatches on lightweight, very lightweight paper, flimsy paper, and forwarded to the State Department only this single copy. The reason for reversing the carbon behind the paper was simply to make impression blacker so that it would reproduce better when passed under a light and over the sensitized paper.

Mr. MORGAN. It is obvious, Mr. Service, that your indoctrination in the ozalid process was a little more thorough than mine.

Any other observations?

Mr. SERVICE. Well—

Mr. MORGAN. Let us go on then.

Your Report No. 18 was also found in Amerasia headquarters, an ozalid copy. I presume again that you did not give that to Mr. Jasse.

Mr. SERVICE. I did not give that to Mr. Jasse.

Mr. MORGAN. That related to the establishment of unified labor and women's organizations for the Communist liberated areas.

What generally would you care to say concerning the contents of that document insofar as classification might be concerned?

Mr. SERVICE. Could you repeat it, sir?

Mr. MORGAN. The establishment of unified labor and women's organizations for the Communist liberated areas. Do you remember the document?

Mr. SERVICE. I remember the document but it should not have been classified very high, I would say.

Mr. MORGAN. Well, it was not classified at all.

Now with respect to your Report No. 13 which dealt with Communist views, you marked that "secret." I might suggest that to you.

Now going on—

Mr. SERVICE. I think if I might point out there though, as an example of inconsistency, there is a series of reports there, one on Mongolia, one on Sinkiang, and one on the Communist policy toward national minorities. As I recall it, two of them were unclassified and

one of them was classified "secret." And I think if you examine them you will see there isn't any really logical reason why one should have been classified and the other not classified. The material is taken mainly from Communist publications and Communist leaders and not really classifiable material at all.

Mr. MORGAN. Also found were your Reports Nos. 16, 17, 19, and 21, all oral copies. I presume they must have been given Jaffe by persons unknown, is that correct?

Mr. SERVICE. By persons unknown to me. I did not give them to Mr. Jaffe.

Mr. MORGAN. Incidentally, have these documents ever been available to you, Mr. Service, in the course of your loyalty hearing?

Mr. SERVICE. Yes, sir; I have been interrogated on them by the Loyalty Security Board.

Mr. MORGAN. I see.

I would like to ask you now with respect to a document dated January 29, 1945. This is unrelated to the Amerasia situation. It bears the heading "United States short- and long-range policy in China." Are you familiar with that document?

Mr. SERVICE. The date is January 29?

Mr. MORGAN. 1945. It deals, according to the heading, with "United States short- and long-range policy in China."

Mr. SERVICE. I have no recollection of having written any such paper at that time.

Mr. MORGAN. I am not suggesting that you wrote this document. Are you familiar with it?

Mr. SERVICE. No, sir; I am not.

Mr. MORGAN. Did you at any time supply Mao Tse-tung dispatches, official Government reports, documents of any kind?

Mr. SERVICE. No, sir; I did not.

Mr. MORGAN. Any suggestion or statement to the effect that you did so, would be false. Am I to understand that?

Mr. SERVICE. Any statement that I gave him official reports or dispatches would not be correct, sir.

Mr. MORGAN. Did you presume at any time to keep him informed as to what United States policy relative to China might be?

Mr. SERVICE. I think that the memoranda which I prepared of my conversations with him will show that I have discussed American policy in broad terms with him. He asked, for instance, in 1944 whether the United States would be able to recognize the Communist Party, and I pointed out the impossibility of our recognizing a separate party; we recognized the Central Government of China. In a general way certainly I have discussed American policy with him simply because I could not have discussed with him for hours and hours and hours as I did without touching in a general way on policy.

Mr. MORGAN. But this particular document you do not recall? It does not strike any bell at all insofar as you are concerned?

Mr. SERVICE. No, sir; I don't believe I have ever seen it. It doesn't mean anything to me at all.

Mr. MORGAN. I see.

How many loyalty boards have you appeared before, Mr. Service, and how many times?

Mr. SERVICE. I have only appeared once before any loyalty board and that has been the State Department Loyalty Security Board before which I have just been appearing.

Mr. MORGAN. You have never had a hearing of any character with respect to the question of loyalty other than the one that you have just completed?

Mr. SERVICE. In 1945, after the jury returned no bill, I was asked to appear before the Personnel Board of the Department of State.

Mr. MORGAN. That was headed by whom?

Mr. SERVICE. That was headed, I believe, at that time by Assistant Secretary Julius Holmes. That was, of course, before the loyalty program as is now known was set up. But they did discuss with me some of the background of the case and my actions during that period. And it was as a result of that hearing I was reinstated and put back on active duty in the Department of State. That is the one Board before which I have appeared prior to the present hearing before the Department of State Loyalty Security Board.

Mr. MORGAN. Have the hearings—perhaps this is a fair question—incident to the first hearing that you speak of, which was before the Personnel Board, was that limited solely to the Amerasia matter, your participation in that situation?

Mr. SERVICE. It was a fairly brief hearing, sir. They discussed as I recall—I have never seen any transcript or minutes of the meeting, they discussed something about the background of my work in China, my relation with the working press, and my expressions of views concerning China and the situation there. Those are all part of the background, you might say, of the Amerasia case.

Mr. MORGAN. Well, the occasion of your appearance before the Personnel Board in 1945 was your participation in the Amerasia situation; is that correct?

Mr. SERVICE. Certainly, sir, but they did not try to re-try the Amerasia case.

Mr. MORGAN. I see. Now, incident to your participation in the current Loyalty Board hearing, if you are privileged to advise me of the fact, were the issues there solely limited to the Amerasia situation, or did they go into other matters?

Mr. SERVICE. May I ask my counsel to answer that?

Mr. MORGAN. Surely.

Mr. RUETTS. May we have that question back?

(The pending question was read by the reporter.)

Mr. SERVICE. I am sorry, I didn't understand your question, sir. They went in the fullest and most complete way into my whole career, my whole record, and into the China period, into my work in China during particularly the years 1943-45. They went in great detail into what might be called the Hurley charges and finally into the Amerasia work and into the Amerasia phase and into my work since that time.

Mr. MORGAN. How many days were you before the Loyalty Board?

Mr. SERVICE. The hearings have lasted up to now for 14 days, and there have been 24 morning or afternoon sessions.

Senator LOVOLD. Mr. Chairman, at that point, I would like to have the record show—maybe Mr. Morgan will develop it—the number of times that various boards or groups of officials in the State Department

have passed judgment on Mr. Service. I do not think that has been put into the record, and I think it is very pertinent.

Mr. MORGAN. Can you answer the question, Mr. Service?

Mr. SERVICE. I am sorry, Senator Lodge, I don't know.

Senator LODGE. Is this loyalty proceeding taking place now the first time you have had a Loyalty Board pass you on that you know of?

Mr. SERVICE. It is the first time I have been asked to make an appearance, and I really cannot answer your question in regard to the number of times which I may have been passed or cleared previously without appearing.

Senator LODGE. This is the only time you have made an appearance?

Mr. SERVICE. That is right.

Senator LODGE. I understood that after the Amerasia case there was a group of officials in the State Department who passed on your case and passed on your participation in the Amerasia case and cleared you. Is that not true?

Mr. SERVICE. Yes. We are caught on a technicality—

Senator LODGE. Was that done without interviewing you at all?

Mr. SERVICE. No. I mentioned awhile ago, Senator, that I appeared before the Personnel Board at that time.

Senator LODGE. That is what I mentioned.

Mr. SERVICE. It is not what is now considered the Loyalty Board.

Senator LODGE. I realize that. My question was not restricted to the Loyalty Board. I asked how often have various boards or groups or aggregations of human beings in the State Department passed on you. That is what I am trying to get at.

Mr. SERVICE. I am sorry, sir. I should have said twice, once by the Personnel Board, once by the Personnel Board in 1945; since then, an indefinite number of times, which I do not know.

Senator LODGE. How many times that you do know about in which you took part, at which you were present?

Mr. SERVICE. Once in 1945, and the decision of the Department of State Loyalty Board has not at present been announced, so I do not—

Senator LODGE. This is the second proceeding?

Mr. SERVICE. This is the second proceeding.

Senator LODGE. By a State Department group of individuals before which you are appearing?

Mr. SERVICE. That is correct.

Senator LODGE. Do you know why the loyalty proceeding was begun now rather than in 1945?

Mr. SERVICE. Quite frankly, sir, my knowledge on the early history of this whole case is only what I have read in the newspapers. I have not been informed in detail.

Senator LODGE. That is not much of an answer.

Mr. SERVICE. I am sorry.

Senator LODGE. I am asking you why the question of your loyalty was only raised in the State Department in 1950 when this whole episode occurred in 1945.

Mr. SERVICE. Well, I assume, again from the press, that my case has been considered periodically, perhaps, from year to year.

Senator Lodge. I mean with your participation in the questioning and all that. Why was that put off for 5 years, I wonder.

Mr. Service. Because the Loyalty Review Board returned the case to the lower board, the Department of State board, with the suggestion that I should have a hearing.

Senator Lodge. When did they do that?

Mr. Service. Again, sir, from the press, early in March 1950.

Senator Lodge. Well, then, it has been about 5 years that went by; hasn't it?

(No response.)

Senator Hickenlooper. Just two questions, Mr. Morgan, and then I will have to leave.

Senator Lodge. Wait a minute.

Senator HICKENLOOPER. Excuse me.

Mr. Service. Senator Lodge, it is my understanding that the question is not being raised for the first time now, but that in the regular operation of the loyalty program my case has been considered by the loyalty boards previously, and in fact several times periodically, and that the evidence in the file has been such that the loyalty boards have given me clearance without requiring a personal appearance.

Senator Lodge. Do you know why your personal appearance was sought this year?

Mr. Service. No, sir, I do not. I do not know why the Loyalty Review Board requested it.

Senator Lodge. Thank you.

Senator Green. Senator Hickenlooper, you said you had some additional questions?

Senator HICKENLOOPER. Yes, sir.

I wanted to ask you, Mr. Service, did you report to your superiors these various conversations and discussions you had with Mr. Jusse in the meetings that you had with Mr. and Mrs. Gayn and these other people in which China policy was talked about? Did you report those conversations to your superiors in the State Department?

Mr. Service. No, sir, because they were not unusual conversations or exceptional conversations; they were the kind of conversations which were going on from day to day with many people, and my discussions of China policy were in a general way.

Senator HICKENLOOPER. Because I have had difficulty, myself, in seeing original documents in the State Department and found it is almost impossible to get a view of original documents referring to certain policy, it occurs to me rather unusual that a member of the Foreign Service, who by his own statement, as you have made, is not too high up in the Foreign Service, will concede to yourself the right to de-classify material and to discuss it with people who apparently were comparative strangers to you, and I am somewhat concerned about that particular phase of the matter.

Then there is another observation which I have—at least, I have this impression from various sources—that if, as, and when documents emanating from officials, let us say, in the State Department or other sensitive departments are made available to newspaper people or writers for background purposes, those original documents, or the copies of those documents, are only made available after serious and some rather important consideration and a decision at a fairly high

level as to whether or not the documents themselves will be shown for background consideration. Therefore, it seems a little unusual—

Senator GREEN. Excuse me, but there is a vote immediately. I think we will recess for a while, anyway.

Senator HICKENLOOPER. I will have to leave.

(A recess was taken.)

Senator TYDINGS. The committee will come to order. Mr. Morgan, go ahead with the examination.

Mr. MORGAN. Will the reporter read the last question before recess so we will have continuity?

The Reporter. Senator Hickenlooper was interrupted by the recess.

Mr. MORGAN. All right.

Going back to a question that was asked you, I believe by Senator Hickenlooper, Mr. Service, concerning this meeting at Mr. Lattimore's on June 2, 1945, which, I believe, was a Sunday, at which Lieutenant Roth was present—

Mr. SERVICE. Yes, but excuse me, sir. Just before we recessed Senator Hickenlooper had asked a rather long and involved question I would very much like to have a chance to comment on.

Mr. MORGAN. That is the reason I asked the reporter to read the question.

Senator TYDINGS. Read the question.

The Reporter (reading) :

Because I have had difficulty myself, in seeing original documents in the State Department and found it is almost impossible to get a view of original documents referring to certain policy, it occurs to me rather unusual that a member of the Foreign Service, who by his own statement, as you have made, is not too high up in the Foreign Service, will concede to yourself the right to declassify material and to discuss it with people who apparently were comparative strangers to you, and I am somewhat concerned about that particular phase of the matter.

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and then the bell rang.

Mr. MORGAN. That is hardly a question.

Mr. SERVICE. I would like very much to have a chance to comment on it, sir.

Mr. MORGAN. Surely; go ahead.

Mr. SERVICE. In the first place, the documents, the papers, personal memoranda which I allowed Mr. Jasse to see, were not, by any stretch of the imagination, policy papers, or policy documents. They were descriptive memoranda of my own observations; they were, in fact, the only notes that I had of conversations and of observations during my period with the Chinese Communists. They were not official documents. They had never, as I say, been in the Department of State in the form in which I had them. They contained no official comments on them, no official expression of views, as to their correctness or as to policy.

If I were to seek to show official documents to any newspaperman, I would certainly have had them first declassified or had approval, but these were not papers of that character at all.

Senator TYDINGS. All right, Mr. Morgan; you may proceed.

Mr. MORGAN. Going back to the question relative to the meeting at Mr. Lattimore's on June 2, 1945, at which Lieutenant Roth and Miss Yardoumian were in attendance, do you recall that meeting?

Mr. SERVICE. In a general way, yes, sir.

Mr. MORGAN. Could you tell us what transpired at that particular meeting at Mr. Lattimore's home, when you arrived, and so on and so forth, for our record?

Mr. SERVICE. My recollection is that I had seen either Mr. or Mrs. Lattimore in Washington sometimes subsequent to my return, which had been in April, and that they had spoken of inviting me down for a week end at their very pleasant home in the suburbs of Baltimore. Shortly before this particular week end, I had received a note, I believe from Mrs. Lattimore, inviting me down, and suggesting, and saying, that Lieutenant Roth and Mrs. Yardoumian had also been invited, and suggesting that we contact each other, get together, and come down together to Baltimore. I would say that the reason for such a suggestion was that the Lattimores live, I think, in Towson, several miles from the end of the streetcar line, and most visitors, if they do not have their own car, go to Baltimore by train, and then by streetcar, and are met at the streetcar line by one of the Lattimores. My recollection is that that is what happened in this case.

We must have arrived there late Saturday afternoon. I remember very little about the evening. We had supper there. I believe that Lieutenant Roth was interested in getting Mr. Lattimore's views on some parts of the book which he was just writing, and, I believe, which had already had Navy clearance. My recollection is that he had some parts of the manuscript, or the galley proof, of the book with him.

Sunday morning I believe that we took a walk through the woods near the Lattimore residence. As I have mentioned before, they had two couples, I think, in for Sunday dinner, which was a sort of a picnic affair, outdoors, on a terrace. I did not know the other guests, I had not known them previously. I remember helping with the hamburgers, opening the beer, sitting around, in general conversation. At some point in the afternoon, I seem to remember Mr. Lattimore doing something—cutting some grass, or doing something nearby where we were sitting, not far enough away so that he was out of the party, getting some Sunday afternoon exercise. It was a very informal affair, with people just sitting around, relaxing.

The other two couples, the Lattimore's guests, who, I think, were faculty members of Johns Hopkins, left late in the afternoon. We stayed for supper, the evening, and returned to Washington, I think, by a very early morning train, a commuters' train, on Monday morning.

Mr. MORGAN. Did you see the galley proofs of Mr. Roth's book, yourself?

Mr. SERVICE. I have no recollection of ever seeing them or reading them. I was not particularly interested in Japan. The book was entirely concerned with Japan. I had no specialized knowledge or interest.

Mr. MORGAN. Was consideration given to the study of any other papers or documents on the occasion of that visit?

Mr. SERVICE. There were no other papers or documents on that visit. At this previous meeting, which had taken place, as I say,

sometime between April and the end of May, I do not remember the circumstances—it was a cocktail party, meeting, or something of that sort—Mr. Lattimore had said that some of his research students, students working under him at Johns Hopkins, were working on historical material concerning the Chinese Communist Party, and he wondered if I had any recent-source materials, Chinese publications.

I had brought back with me from China a personal copy of a volume of speeches and papers of Mao Tse-tung, and on this occasion I took this book with me to the Lattimore's and left it with Mr. Lattimore.

We had some discussion of the book. I pointed out the speeches which I thought of interest. I had read a good many of them in Chinese.

Mr. MORGAN. That was not a Government document?

Mr. SERVICE. No, sir; that was simply a personal copy of a volume, in Chinese, of speeches and papers of Mao Tse-tung.

Mr. MORGAN. Am I to understand from your testimony, then, Mr. Service, that there were no other documents considered, apart from the galley proof of Lieutenant Roth's book?

Mr. SERVICE. I have no recollection of any other papers, myself, at all.

Mr. MORGAN. Would you have known whether Lieutenant Roth or Mr. Lattimore possibly did or did not have such papers and documents?

Mr. SERVICE. I think I would have, because I do not remember them going off by themselves for any length of time. The discussion was around the living room there after supper.

Mr. MORGAN. Leaving that for the moment, that was on June 2; on June 6, at the time of your arrest, I believe you were handcuffed, so it has been stated, to Mr. Larsen; isn't that right?

Mr. SERVICE. My recollection is that we were taken in separate cars with, I suppose, the United States marshal on each side of us; I do not recall—I couldn't be positive.

Mr. MORGAN. Well, at any point did you have a conversation with Mr. Larsen, either immediately following your arrest or at the time you appeared before the United States Commissioner?

Mr. SERVICE. When I was taken to the office of the United States Commissioner, Mr. Larsen was already there and I was told to sit in a chair along one wall, right next to Mr. Larsen.

Mr. MORGAN. Was there any conversation?

Mr. SERVICE. Mr. Larsen made several attempts to talk to me, under his breath, in Chinese, asking me what it was all about, expressing his own anger, mystification; and after this went on for some time, I didn't reply, I finally said to him—there were people standing all around us, photographers, newspapermen, and so forth; and I finally said to him, "Please speak English," because I did not think there was any point in our carrying on a conversation there in Chinese. My recollection is, the only thing that I said to him was, "Speak English."

Mr. MORGAN. Do you know whether you told him to "shut up"?

Mr. SERVICE. I did not tell him to shut up. As far as I remember, it was simply to please speak English.

Mr. MORGAN. Mr. Chairman, I don't want to monopolize the questioning this afternoon. I may have some other questions of Mr. Service. We have obtained for Mr. Morris, from the Justice Department,

a number of documents that appear to have some pertinence here, and you may like to have him go into those now.

Senator TYDINGS. Senator Lodge has a question or two. Then we will turn the questioning over to Mr. Morris.

Senator LODGE. Do you remember, Mr. Service, when it was that you first heard of the Amerasia magazine?

Mr. SERVICE. Well, I must have heard of it very soon after it was established, which I think was in 1937.

As an officer whose business was the Far East, particularly reporting on the Far East, I was, naturally, interested in reading, keeping in touch with what other people were saying and writing, and I subscribed for either 1 or 2 years, I think, to Amerasia, in that very early period. It may have been the year 1938-39, I am not sure.

Senator LODGE. You were really, then, quite considerably interested in it; is that right?

Mr. SERVICE. I was interested enough in it at that time to subscribe to it. The character of it in those days, of course, was very different from what it eventually became.

Senator LODGE. You regarded it as a reputable publication; did you?

Mr. SERVICE. Yes. You are speaking of the early period; aren't you, sir?

Senator LODGE. Well, speaking of 1945, you regarded it as a reputable publication?

Mr. SERVICE. I was not in close touch with it in 1945. I did not know in detail, for instance, that all of the other editorial board had had left it and it had become just Mr. Jaffe and Miss Mitchell. In the early days, the editorial board contained quite a large number of people.

Senator LODGE. What did you think its circulation was in 1945?

Mr. SERVICE. I don't believe that I knew. I certainly didn't expect that the magazine had any large circulation. I doubt if it ever had a large circulation.

Senator LODGE. Did you consider that it was an important magazine?

Mr. SERVICE. Well, it is hard to know just what you mean by "important," sir. It is a magazine that was read by, I imagine, practically everybody who was particularly interested in the Far East.

Senator LODGE. Did you think it was important, using your own definition of the word "important"?

Mr. SERVICE. No, sir; I wouldn't say it was important.

Senator LODGE. You didn't think it was important?

Mr. SERVICE. No.

Senator LODGE. Although you didn't think it was important, you went to this rather considerable trouble to give these documents and this information to the editor of it, didn't you?

Mr. SERVICE. I wouldn't say that I went to a great deal of trouble.

Senator LODGE. You went to more trouble than Mr. Jaffe did, didn't you?

Mr. SERVICE. I suppose so.

Senator LODGE. You went to him all the time?

Mr. SERVICE. Generally, it was in connection with a meal, which is quite a normal way of seeing someone. I was living here in Washington alone, without my family. If I had not accepted his invitation,

shall we say, to lunch I would have eaten by myself, in some cafeteria or some lunch place downtown. It was not, as I mentioned before, going out of my way a great deal. I spent considerable time in talking to writers, other writers, people who were interested in the Far East.

Senator Lodge. Well, I am familiar with the practice which exists in the State Department, and in Washington generally of, what you might say, leaking information to the members of the press, it is a legitimate thing to do; but I am still a little bit puzzled why, having made up your mind that you wanted to get this background information to the press and having made up your mind that you were willing to put this time and trouble into it, you didn't go to a newspaperman who was more influential and who could do more for the viewpoint that you were interested—that is what I can't get through my head.

Mr. Service. May I differ, Senator Lodge, on one implication which you made there, that I had made up my mind to get this material to the press. If writers, specialists, people who had a real interest, sought me out, I was willing to help give them background, so far as appropriate.

Now, I have talked to, again without seeking them out, to representatives of Newsweek, Time magazine, I think, the United States News Report—is that it?

Senator Lodge. United States News Report.

Mr. Service. I have forgotten the exact title.

Senator Lodge. Did you call on them?

Mr. Service. No, sir; sometimes they came to me in my office; sometimes we met at their apartment by their invitation, for a meal. I talked to a great many people. I can't recall all of them now.

Senator Lodge. I would like to get a little information, for the record, on your biography, Mr. Service. It is not in the record, so far as I know. Would you give me a little biographical sketch of yourself—where you were born, where you went to school, and so forth?

Mr. Service. I assume you want it very briefly.

I was born on August 3, 1909, in Chengtu, in the extreme far west of China. My father was a YMCA secretary and had been there in that city since 1905, organizing and setting up the work of the YMCA in west China.

My parents brought me to the United States for the first time in 1915, when I was about six. That was their first furlough after my birth. My father was assigned to spend a year with the YMCA in Cleveland, Ohio, and I attended first grade in a public school in one of the Cleveland suburbs.

We returned to China in 1916 and went back to Chengtu. My parents were very anxious that I have an American education and upbringing, so far as possible, and my mother taught me at home, by a home-study course which is very well known to people who have to live abroad, the Calvert School which, I believe, is located in Baltimore.

I completed the Calvert course and was ready for high school when I was 11, and my mother could not have feasibly carried me any further. Furthermore, Chengtu was a very isolated, small, remote foreign community, where I had little opportunity to grow up with other American children, or to learn the things that most American children learn outside of school.

So I was sent, at 11, to a boarding school in Shanghai, to the Shanghai-American School. This was an institution of considerable size, about 400 pupils, supported by the American Mission Boards in China, and by American business firms, for American children, almost exclusively for American children. I spent the next 4 years there as a boarding pupil.

My parents returned to the United States, on furlough, in 1924, and during the ensuing year I had my senior year of high school, at Berkeley, in Berkeley, Calif. I graduated from high school at the age of 16 and was determined, myself, that I did not wish to proceed at once to college. I was so much younger than the rest of my class, and so much smaller, that I think you can appreciate my feelings.

So I returned with my family to Shanghai, where they were, by that time, stationed, and worked for about a year and a half as a draftsman in an architect's office.

In November 1926, I started for the United States by way of southeast Asia, India, and Europe, traveling alone. My father, in effect, bought my steamship ticket and gave me a book of traveler's cheques, and as a boy of 17 I was on my own. I think I got the most out of my funds. I bicycled through England, hiked through the Italian lake section, and generally had a wonderful time; which brought me up to the time for entry into college, in the fall of 1927.

I attended Oberlin College, at Oberlin, Ohio, took a very general course. I was not sure, myself, what I wanted to do; took a good deal of history, political science, English, but ended up with a major in economics.

However, during my senior year I took a course in the history of art, thought it might interest me as a career, that I would be interested in teaching it. I, therefore, spent a year in graduate study in the history of art. However, it was not successful. I became interested in Foreign Service.

In September 1932 I took the Foreign Service examinations, with almost no preparation, no formal preparation. I passed those written examinations; came to Washington and passed the oral examinations. In January 1933, that was. But I learned that, because of the depression and the retrenchment, there was very little opportunity for early appointment to the Foreign Service.

So I went out to China, worked for awhile in the American Bank, and in the meantime applied for a clerkship in an American consulate in China that might become vacant. One did become vacant shortly thereafter, in Kunming, which at that time was a very small post in southwest China—later on became famous as the China end of the hump.

I served there as a clerk for a little over 2 years. Finally, in October 1935, the first appointments were made to the classified Foreign Service, and I was made a Foreign Service officer of the lowest grade.

SENATOR LODGE. Have you got any brothers or sisters?

MR. SERVICE. Yes, sir; I have two brothers. I am the oldest. I have one younger brother, who is a forester in California. I have a still younger brother who is a Foreign Service officer now stationed in Moscow.

SENATOR LODGE. You have two brothers?

MR. SERVICE. Yes.

Senator Lodge. Are your father and mother still living?

Mr. Service. Only my mother is living. She is living in southern California.

Senator Lodge. Thank you.

Senator TYDINGS. Go ahead, Mr. Morris.

Mr. Morris. Mr. Service, I have here some of the documents that were seized, at least copies of documents seized at the time of the Amerasia arrests. This particular group purports to be a collection of some of your writings. I have tried to take a sample cross section. I will read a few of them at the outset. If you think I have made a proper selection, you will advise me so.

Mr. Service. What is it that you wish me to identify?

Mr. Morris. First, I want to read them. Then I will pass them over to you and you will affirm that they are your writings; and I want to ask you some questions about the thoughts that you express therein.

I have here report No. 34. You wrote this from the United States Army Observer Section. It is dated September 28, 1944. You write [reading]:

Potentially, any orientation which the Chinese Communists may once have had toward the Soviet Union seems to be thing of the past. The Communists have worked to make their thinking and program realistically Chinese, and they are carrying out democratic policies which they expect the United States to approve and sympathetically support.

Economically, the Chinese Communists seek the rapid development and industrialization of China for the primary objective of raising the economic level of the people. They recognize that under present conditions in China, this must be accomplished through capitalism with large-scale foreign assistance. They believe that the United States, rather than the Soviet Union, will be the only country able to give this economic assistance and realize that for reasons of efficiency, as well as to attract American investment, it will be wise to give this American participation great freedom.

Mr. Service. I believe I wrote that, sir.

Mr. Morris. I will read a few more, Mr. Service [reading]:

This apparent strong orientation of the Chinese Communists toward the United States may be somewhat contrary to general expectation—which may be too ready to emphasize the Communist name of the party. Apart from what may be called the practical considerations that the United States will be the strongest power in the Pacific area and America the country best able to give economic assistance to China, it is also based on the strong Communist conviction that China cannot remain divided. * * *

I think that is a sample of that report. I will pass it over to you, that you may see it to determine if that is correct.

Senator TYDINGS. Do you want to ask him questions about each one, Mr. Morris?

Mr. Morris. I think it would be quicker if I brought in a few of them together.

Senator TYDINGS. All right.

Mr. Morris. Again, I am reading from Report No. 20—

Senator TYDINGS. Give the date of it.

Mr. Morris. The date of this one, Mr. Service, is September 3, 1944 [reading]:

The giving of any American military support to the Communists, whether directly or by some indirect means as mentioned above, would be certain to have an important effect on the political situation in China. The Communist army is as much a political as a military force. These dual characteristics cannot be separated. And this political nature cannot be taken away—even by incorpora-

tion of the Communist forces into the National Army. Our support would be generally interpreted as an indication of American approval. And by improving the military effectiveness of the Communist forces, it would increase their claimable share in winning the war. Both of these factors would raise the prestige of the Communist Party and ultimately its influence in China.

Again [reading]:

The military accomplishments of the Chinese Communist Party during the present war, and the fact that these depend on a political base of popular support which the Communists have created, are now fairly well known.

Then you go on to speak about the democratic phase and the extent of democracy in all the Communist areas.

I pass that document to you, for you to see if I have given a fair interpretation to it.

This next document is, apparently, your opinion of the Japanese Communist Party.

Senator TYDINGS. Give the date.

Mr. MORRIS. This is undated, Senator. It is, apparently, the last page of a report, and it doesn't contain the opening date. I am starting with paragraph 6, because the preceding paragraphs are not here. It is signed by John S. Service [reading]:

The Japanese Communist Party is still small (Mr. Okano himself does not claim more than "a few thousand members"), but it has the advantages of strong organization and loyal, politically experienced membership. If its policies, as claimed, seek to achieve our own hopes of a democratic, nonmilitaristic Japan, we may wish to consider the adoption toward it of an attitude of sympathetic support.

I pass that to you, that you may look at it, because, apparently, it is only part of a report.

Senator TYDINGS. Can you fix the approximate date of that from anything in it?

Mr. SERVICE. All I can say is that the original memorandum was probably written in, possibly, September or October.

Senator TYDINGS. Of what year?

Mr. SERVICE. Of 1944.

Senator TYDINGS. All right.

Mr. MORRIS. I have report No. 26, dated September 10, 1944, also by Mr. Service. The summary reads:

Communist influence predominates in the guerrilla bases because the Communists took the lead in establishing the governments, because there has been no important organized political opposition within the areas, and because the Communists have been supported by the peasants and liberals. The Communists have used their influence in a democratic way and to further democratic ends.

As I say, this is dated September 10, 1944.

Again, in the same vein, September 4, 1944, report No. 22 [reading]:

The growth of the Chinese Communist armies during the present war has proved them to be an extremely powerful political instrument because this spectacular development would not have been possible without the support of the people of the areas in which they have operated. This widespread popular support must, under the circumstances in which it has occurred, be considered a practical indication that the policies and methods of the Chinese Communists have a democratic character.

I have some more documents to the same effect.

May I just take a few excerpts and read them to you as I go through them?

Mr. SERVICE. I am not quite sure what you wish me to do, sir.

Mr. MORRIS. All right, Mr. Service. Let's stop at this point.

Will you tell me whether or not the ideas expressed in these reports represented your convictions at the time?

Mr. SERVICE. Well, you have read brief excerpts—

Mr. MORRIS. Yes.

Mr. SERVICE. And it is not, I submit, fair to consider something taken out of context.

Mr. MORRIS. That is what I asked you, if I had given an unfair impression of your writings.

Mr. SERVICE. I am afraid I would have to say that, sir, and that is the reason why we requested the State Department to assemble my complete work products and to have all of it carefully read and carefully analyzed.

Mr. MORRIS. Mr. Service, may I ask particular questions then about your views as expressed in these particular articles:

Do you believe that the Chinese Communists were looking to the United States for their orientation?

Mr. SERVICE. I believe that at that time, in 1944, the Chinese Communists hoped, the Chinese Communist leaders, or the influential ones, who were in command of the party at that time, hoped to be able to maintain a somewhat independent position where they could have friendly relations and assistance from the United States.

Mr. MORRIS. And do you believe that their strength was the strength of the people, and that the strength proceeded from the fact that it was a popular movement?

Mr. SERVICE. I don't think that any other interpretation could be put on their spectacular success during the war in fighting guerrilla warfare under the most difficult conditions. The Chinese peasant has very little political consciousness—all governments are bad. Furthermore, he has, basically, little developed feeling of patriotism, the way we think of it. He has a strong sense of cultural unity, perhaps; but they could not have organized the peasants and won their support, gotten them to engage in and to provide the background for years of the most harrowing kind of guerrilla warfare, unless they had given those people something.

Now, my use of "democracy" requires a great deal of explanation, and that is why I do not think it fair to take brief excerpts. I would much prefer to have anyone study the whole body of reports.

Mr. MORRIS. When you use the word "democracy," when reporting to the American State Department, there is a particular meaning to "democracy" in that sense, isn't there?

Mr. SERVICE. I am reporting to people who have a very long and developed background concerning China, and they know that that word "democracy" is used in a comparative sense, as compared to conditions, perhaps, in Kuomintang areas, and not as compared to the United States.

And I believe that if you read all of my reports, or if any person reads all of my reports, they would have a clear understanding that I was not thinking of American democracy at all.

Mr. MORRIS. Well, I read quite a few of them, Mr. Service, and I am quite sure that a reasonable man, reading these documents, would become impressed that you were certainly trying to convince the State

Department that these people were "democratic" people in the sense that we use the word "democracy."

Mr. Service. I am sorry that that is your conclusion. They were more democratic in some ways. But, if you remember my report No. 26, which is one of those that you read from, I say [reading]:

The "democratic" nature of these first governments was "confirmed" by the followings of the Communist armies and these liberal groups, and by numerous mass meetings, organized by them—which often went through the gesture of voting (by acclamation) for the government which had been set up.

And I describe how they proceeded, after thorough organization, to elect local governments of the lowest unit, smaller than our counties.

Mr. Morris. By "democratic" procedures, in the sense that we use the word "democratic"?

Mr. Service. By, first, complete, very thorough political indoctrination, by, in one sense, selecting the candidates, but mainly by giving the farmer, who had never had a chance to vote before, a chance to vote, usually by picking a bean out of a bowl and putting it into a box, for this candidate or that candidate.

I go on to describe how the Communists controlled all of the propaganda and were very successful; how they controlled the army, which was thoroughly politically indoctrinated by a political commisar system.

I talk of how there was no opposition, political opposition, in the areas, since the wealthy landlords had left, and these were backward rural areas, anyway. And I said, it is natural that the peasants, who were the great bulk, would tend to gravitate toward the Communist Party.

I mention how the Communists, in effect, in a very real way, had control of each of these separate guerrilla areas, and through the party they control the basic policies of all of them.

I think that you get, from a complete reading of this paper, a very limited idea of "democracy."

I may say that that paper was given a rating of excellent by the State Department, as an analytical study of how they succeeded in developing their support and in gaining complete control of their widespread guerrilla areas.

Mr. Morris. Now, I also want to read from a series of documents here, that were, apparently, taken by the arresting agency at your home, at the time of your arrest.

The general tenor of these documents seems to be that you should well have been informed that the Chinese Communist Party was a full-fledged member of the ECCI. I shall read from some of those. The reason that I extend that thought is that you can see what I am getting at. The ECCI is, of course, the executive committee of the Communist International.

Senator Tydings. Do you think, Mr. Morris, it would be helpful if these documents that you are quoting from were put in the record in their entirety?

Mr. Morris. Yes; I think the whole thing should go in.

Senator Tydings. May I ask, to keep the record straight, that the reporter put in the record, immediately following the excerpts that I read, the whole document, and not put the whole document in out of context with the testimony.

Mr. MORGAN. Mr. Chairman, I don't wish to question that ruling at all, but I would like to suggest, again, the circumstances under which these documents have been made available to us. I frankly would appreciate an opportunity to clear it with the Department of Justice, because they very courteously made them available to us under certain circumstances, and if we are going to incorporate them in their entirety, in our record, I think I would like to get clearance on that.

Senator TYDINGS. Let me modify and rescind and say, do not put the whole document in the record, but we will keep them as exhibits, so that the committee can look at the whole document if it wants to.

Senator LODGE. I thought we voted, unanimously, to get all of these Amerasia documents, didn't we?

Senator TYDINGS. But we can't get them unless the executive department turns them over to us.

Mr. MORRIS. Except that the Justice Department has made them all available to the committee and its staff for such study and review as we wish. These documents we have today, we specifically requested of the Department for use in the examination. I shall be glad to try to clear this with them, if you wish, Mr. Chairman.

Senator TYDINGS. If we can get them cleared, we will put them all in; if we can't get them cleared, we will keep them as exhibits.

Senator LODGE. What objection could the Department have? It seems to me, if we ought to clear them with anybody, it should be with the agency from which the documents came, in the first place.

Senator TYDINGS. Only that they are executive documents and under the three-branch system of government which we have—if they don't give them to us, there is no way that we can make them do so. I want to cooperate, and get all of the information that we can, and I think they will make them available.

Senator LODGE. I can understand that they are executive documents, but I think it is extraordinary for the Department of Justice to attempt to pass judgment on the classification that the Army, Navy, and State Departments may put on a document.

Senator TYDINGS. All right.

Mr. MORRIS. In line with that, I will read you a few excerpts from these documents and, again, if you think I have misinterpreted any of them, I wish you would let me know. It is described here as [reading]:

This is a first draft rough translation of a speech made in May 1941 at the meeting of Yenan cadres by Mao Tse-tung in which he maintains that the method and system of study in the whole party should be changed for reasons which he then discusses.

Apparently, this is your own translation of Mao Tse-tung's speech. I will ask you if that is not a fact? This was in your possession at the time of your arrest.

Mr. SERVICE. This was a part of the working materials which I had been collecting. I had been trying, of course, to collect everything that I could about the Chinese Communists, particularly source materials which they, themselves, had written or printed, at any time.

I don't believe that this translation is one which I, myself, made. I think it is probably one that was made in Yenan and given to me.

Mr. MORRIS. Is that on your typewriter?

Mr. SERVICE. No; I am sure it isn't. I don't remember ever typing it.

Mr. MORRIS. Do you recognize it? It was in your possession at the time of your arrest.

Mr. SERVICE. I believe it was. I remember this particular speech or paper, by Mao Tse-tung. It is quite a well-known one. I am sure that I had one at one time.

Mr. MORRIS. May I read a few extracts from it. Again, if I make an improper selection, I wish you would let me know [reading]:

We are learning the teachings of Marx, Engels, Lenin, and Stalin but the way many of us learn them is directly in opposition to them. That is to say these people departed from the fundamental principle which Marx, Engels, Lenin, and Stalin have been untiringly warning others: The unity of theory and practice. Accordingly they invented a contrary principle: The separation of theory and practice. Consequently both in schools and in education of cadres while employed, the teachers of philosophy never ask the students to study the logic of the Chinese Revolution, the teachers of economics never ask students to study the characteristics of Chinese economics, teachers of military science never ask students to study the characteristics of Chinese military problems, etc.

Again [reading]:

* * * Marx, Engels, Lenin, and Stalin teach us to start out from real facts and matter existing in the objective world and then deduce laws from them to serve as guiding principles for our action.

Again [reading]:

For cadres in offices and schools we ought to take the practical problem of the Chinese Revolution as the center of our study and start out from it to study Marxism-Leninism. The way to study Marxism-Leninism isolatedly and statically should be discarded. In study Marxism-Leninism, the central material ought to be the History of the CPSU, assisted by other materials.

The History of the Communist Party of the Soviet Union is a book that sets forth with utmost clarity the principle that the Chinese Communist Party is a full-fledged member of the Communist International!

Mr. SERVICE. I am sorry—to go into this would require a very long time. We are starting out to engage in a rather involved discussion of history and theory of the Chinese Communists.

Now, the meaning, the intent, of the major part of this talk, is—

Senator TYRINGS. Is this Mao's talk?

Mr. SERVICE. This is Mao's talk.

Mao is saying here, and he repeats it over and over again, that we are Chinese, that we must study the facts of the Chinese Revolution, the facts of Chinese history; we must not separate theory from practice. This is one of the basic doctrines in Mao Tse-tung's program for the sinicization, in other words, the making of the Chinese Communist Party Chinese. One of his great arguments was that we must avoid subjectivism. Subjectivism he defined as merely aping, mimicking foreign ideas and foreign theories.

Now, he goes into that in many of his books in this period, that the foreign students who come back from abroad just become talking machines, and parrots, and they try to apply what they learned abroad without any relation to China.

Now, I have repeatedly, in my reports, said—I have always said that the party was Marxist; they insisted they were Marxist.

Mr. MORRIS. You don't say they are Stalinists, though?

Mr. SERVICE. Yes; they do.

Mr. MORRIS. You said they are Stalinists?

Mr. SERVICE. They said, themselves.

Mr. MORRIS. Mao is saying it there, but your interpretations of the Chinese Communist always refer to them as "democratic forces" rather than as Stalinist forces.

Mr. SERVICE. As I say, it is a long and involved subject.

Mr. MORRIS. I realize that. I am just trying to get a general impression and idea of this thing.

Mr. SERVICE. They always insisted that they were Marxists, and I so reported; and as good party members they insisted that they were Stalinists. However, the leaders were trying to, during a period, to, shall we say, nationalize the Chinese Communist Party, turn it away from what they thought was impractical aping of foreign ideas, that conditions in China are different, we are a primitive agrarian society.

As I say, at the end, of course, here he comes back, "Of course, our basic textbook is the history of the Communist Party in the Soviet Union."

Mr. MORRIS. Mr. Service, do your reports indicate that the Chinese Communists are turning away from the Soviet Union toward the United States? I read several of the reports to that effect. Shall I read them again? At the same time, reinforcement of the doctrine of Marxism, Leninism, and Stalinism, based on a study of the history of the Communist Party in the Soviet Union, is a complete contradiction; they are direct opposites. How can you reconcile those two facts? You have Mao Tse-tung, in a speech where he reaffirms the principles of Marxism, Leninism, and Stalinism, he bases this on the most basic book of the whole Communist Party, namely, the History of the Soviet Union.

Mr. SERVICE. For the record, he says, "party member." He can say nothing else.

The intent, as I understood it, of the whole movement which he was espousing was to try to adapt Communism in China to the conditions of China and to make it independent as far as possible, and not dependent on someone else. Communism in China, I believe, at that time was different from the Soviet Union Communism. I do not believe that the Soviet Union had very direct control over it; had not had for some years.

Mr. MORRIS. There is one other thing I would like to introduce at this point, which was also in your possession at the time—

Mr. SERVICE. May I—

Mr. MORRIS. Yes, Mr. Service.

Mr. SERVICE. May I read a section here from the testimony before the loyalty board of Mr. George Kennan. Mr. Kennan is speaking. He is referring to this period of 1944 [reading]:

Yes. That the Communists felt themselves on their own and were themselves uncertain how their relationship with the Soviet Government was going to shape up when the war was over. Now, that being the case, I think it quite plausible that during those years they wandered further from the typical Comintern outlook of affiliation with the Soviet Government than perhaps any other Communist Party in good standing. And they were also at that time engaged in a war with the Japanese and in the Far East a very considerable battle—

Mr. MORRIS. Whose quotation is this, Mr. Service?

Mr. SERVICE. George F. Kennan, in his testimony before the Department of State loyalty and security board, as an expert witness called by the loyalty board to examine all of my reports [reading]:

They were also at that time engaged in a war with the Japanese and in the Far East a very considerable battle threatened their own power in China against the Chinese Central Government. For that reason, I think it is no wonder that they gave an impression of sincerity and concentration of purpose which is not normally associated with the Communist movement throughout those years. And, in these reports, which I think reflect quite faithfully what were the real actions, the actions of the Chinese Communists at that time, in these reports, I think it quite natural you don't find much reflection of the sort of thing you asked about.

I think that the complete testimony of Mr. Kennan, which, as I said before, I hope will be available to this committee, will answer a great many of your questions.

Mr. MORRIS. Do you contend that the political orientation that the Chinese Communists may once have had for the Soviet Union seems to be a thing of the past, and they are carrying out democratic policies which they expect the United States to approve and sympathetically support? Don't you think there is a contradiction between that thought and the basic thought of Marxism, Stalinism, and Leninism?

Mr. SERVICE. Don't you think that Yugoslavia and Tito are not oriented toward the Soviet Union at the present time? The situation is very similar.

Mr. MORRIS. In what respect? Do you think that Tito is teaching Stalinism now?

Mr. SERVICE. I am sure that they claim that it is Stalinism.

Mr. MORRIS. Do they adhere to the 21 points, as this material, source material, that you had in your presence at the time, indicates?

Mr. SERVICE. I am sorry!

Mr. MORRIS. Well, let me get into the next document.

Senator TYDINGS. Before you leave that, am I to understand that your last answer to Mr. Morris' question is that you likened the Communist movement in China somewhat to the movement of the Communists in Yugoslavia, vis-a-vis Russia?

Mr. SERVICE. I do, in that they both have a strong national bias.

Senator GREEN. I am at a loss to understand just what your objective was. Was it not the objective to say what Mao's views were and what effect those views had on the Chinese? You were not expressing your own views?

Mr. SERVICE. In most cases, I was simply reporting what they told me and what I read in their books and publications.

Senator GREEN. But you weren't expressing your own views—you were reporting his views?

Mr. SERVICE. That is right. And, in some cases, I commented on those views. Generally speaking, it was simply reporting what they asserted were their policies.

Senator GREEN. As to these matters on which you have testified, it was objective reporting—wasn't that it?

Mr. SERVICE. That has been the decision of George Kennan, who, I believe, is the best-qualified person.

Senator GREEN. Is that what the State Department expressed approval of, in expressing its appreciation of your work?

Mr. SERVICE. Yes, sir.

Mr. MORRIS. The reports from which I read those extracts were reports of your own views; they were not objective reports. You were giving your own opinion in those reports. I think, if you analyze the record, you will find that is the case.

Let me get to the next material.

I have here a paper found in your possession at the time of your arrest. I read the official description:

Two small books, one, Study the Material of the Thirteenth Plenum of the ECCI, and the other, Revolutionary China Today, by Wang Ming and Kan Sing. Also the following note, "Dear Mr. Service: I had hoped to be able to give you this copy, but I cannot find my other copy. However, you may keep this one as long as you need it."

Signed by a man named "Johnson."

Now, as I say, this is the official report of the ECCI. Some of the extracts from this read as follows:

The Comintern and the CPC are fully entitled to demand from our fraternal parties that they comply with one of the basic conditions of admission to the Comintern which was adopted by the personal motion of Lenin himself and reads as follows:

"Every party that desires to belong to the Communist International must give every possible support to the Soviet Republics in their struggle against all counterrevolutionary forces. The Communist Parties should carry on a precise and definite propaganda to induce the workers to refuse to transport munitions of war intended for enemies of the Soviet Republics, carry on legal or illegal propaganda among the troops, which are sent to crush the worker-republics, etc."

It goes on and says the same thing about the Japanese Communist Party. It reaffirms all of the tenets and dogmas of the History of the Soviet Union.

I say, Mr. Service, how can you possibly reconcile having all this material in your possession and at the same time writing as you did in the reports that I have read?

Mr. SERVICE. May I see that, sir?

Mr. MORRIS. Yes.

Senator TYDINGS. For the purpose of identification, if I might interrupt, what is that document you have in your hand—who is the author of it?

Mr. SERVICE. It is a photostatic reproduction, I believe, of a book—

Senator TYDINGS. Of a book?

Mr. SERVICE. Of two small books, one entitled, "Study of the Material of the Thirteenth Plenum of the ECCI"—

Senator TYDINGS. What is that—ECCI?

Mr. SERVICE. It is the Communist International. I can't tell you in detail what the letters stand for.

Mr. MORRIS. Executive Committee of the Communist International.

Senator TYDINGS. Who wrote that one?

Mr. SERVICE. That is by Wang Ming.

Senator TYDINGS. Who is Wang Ming?

Mr. SERVICE. I would like to come to that later, if I may.

Senator TYDINGS. All right. Let's get the other, then.

Mr. SERVICE. The other is, Revolutionary China Today.

Senator TYDINGS. What?

Mr. SERVICE. "Revolutionary China Today."

Senator TYDINGS. Who wrote that?

Mr. SERVICE. As far as I can see, by Kan Sing.

Senator TYDINGS. How did you happen to have these books?

Mr. SERVICE. I would like to give a little of the history.

Senator TYDINGS. I hope it won't be too long. I am not interested in the history, but I would like to know how you got it.

Mr. SERVICE. This book was loaned to me by the man named Johnson, who was an employee, I believe, of the War Department, at the time, engaged in research work.

Senator TYDINGS. There was no crime in having it.

Mr. SERVICE. Connected with the Far East.

Senator TYDINGS. Who are the two authors—are they Communists?

Mr. SERVICE. I do not remember Kan Sing.

Senator TYDINGS. Who is the other fellow?

Mr. SERVICE. The other fellow, Wang Ming, was a leader, an important leader, I believe, ranking leader of the Chinese Communist Party, once, in the early 1930's.

Senator TYDINGS. Now, I am up with the thing. Go ahead.

Mr. SERVICE. The date of these books, I see no definite indication, but it is about 1934.

The Chinese Communist Party has had a history of considerable internal dissension and struggle for power. In the early days, there is no doubt it was completely Russian-dominated and dominated by the Communist International.

Mr. MORRIS. Do you think it is not now?

Mr. SERVICE. Will you let me continue, sir?

Mr. MORRIS. I am sorry.

Mr. SERVICE. Several leaders were, in effect, designated or sent out by Moscow to run the show. Their policies were, shall we say, more traditionally communistic, proletarian uprisings, and so on. The uprisings which they urged, organized, were put down very promptly.

Mao Tse-tung was a leader of a group within a party; Mao Tse-tung had not studied in Moscow—who believed that the only successful program in China would be a more moderate one, based on the farmer and his hardships.

Eventually, about 1935, or perhaps 1934, Mao Tse-tung won the struggle for power in the Communist Party in China on his more moderate—if we could use “moderate” in connection with communism—theories. Wang Ming and the others were discredited. Some of them disappeared from the scene; some of them returned to Moscow.

Now, I was very interested, as a student, because I was trying to find out all I could about the Communists and their history, to get this book, and to see what Wang Ming had said. Because Wang Ming was in disgrace, I could not get it.

Senator TYDINGS. Why was he in disgrace?

Mr. SERVICE. Because he was discredited, the leader who had been discredited by Mao, and who lost out in the struggle for power.

Senator TYDINGS. Go ahead.

Mr. SERVICE. He was a Russian-Chinese Communist, whereas Mao represented the Chinese wing of the Communist Party.

This book I found I could not obtain in Yenan when I was there. I would inquire; “Yes; we will get you a copy.” I made various inquiries. I finally found out why they would not give me a copy of the book. It was proscribed. Wang Ming, himself, was living in

retirement in Yenan. They allowed us to see him, but allowed no one to talk to him.

So, when I came back to the United States, I made an effort to, through other research students, to get this book, which is quite a rare item, so that I could read it. Actually, I had just received it and never had a chance to read it.

Senator TYDING. How long had you had it before it was seized?

Mr. SERVICE. I am not sure. Perhaps the date is on Mr. Johnson's note here. I don't know. I would have—

Senator TYDING. It isn't important.

Mr. SERVICE. I would have to look through it.

The point is, there was no question, in 1934, when this book was written, that the Chinese Communist Party was being dictated to and run by the Communist Party of Russia.

Mr. MORRIS. When I read from Mao Tse-tung's report there, you found, in Mao Tse-tung's own statement, a reaffirmation of all of the principles of the Plenum of the ECCI?

Mr. SERVICE. The speech of Mao Tse-tung you read to me was in 1941.

Mr. MORRIS. This was a repetition of the speech he made in 1941.

Mr. SERVICE. The speech was made in 1941.

Mr. MORRIS. This is comment on a speech that he made in 1941.

Mr. SERVICE. This is a speech he made in 1941.

Mr. MORRIS. What does it say after that? It makes comment on it, doesn't it?

Mr. SERVICE. "I have now received the sketch of the report and have had it published." In other words, he made, as often was done, a speech, probably oral speech, without prepared text.

Mr. MORRIS. What he is doing is bringing it up to date.

Mr. SERVICE. No, sir.

Mr. MORRIS. He takes a speech that he made, and republishes it.

Mr. SERVICE. I see no evidence that it is correct to say that it was republished in 1948, so far as I can see.

Mr. MORRIS. I didn't say "1948."

Mr. SERVICE. This is simply a text translation of a speech which Mao gave in 1941, when ECCI was still in existence. It was not in 1945. Theoretically—

Mr. MORRIS. I grant you that the date of the reaffirmation of principles expressed in the speech does not appear from that document. It is at some later time.

Mr. SERVICE. I am sorry, I don't understand the question. I still come back to the statement I made, that nobody announces more positively that he is a Communist than Mr. Tito, these days.

Mr. MORRIS. I have a few more letters here. I wish you would explain the contents of some of them.

This is described as:

"Typewritten letter dated at Washington, April 16, 1945," and, apparently, it comes from your typewriter. Would you look at it and identify it, Mr. Service? It is written to "Dear Annelee and Teddy."

Is that your letter, Mr. Service?

Mr. SERVICE. Yes. I think it was a start on a letter which I never finished and never sent.

Mr. MORRIS. May I read an excerpt from that, and ask for your interpretation. [Reading:]

DEAR ANNIE AND TEDDY: The optimistically pleasant speculations we allowed ourselves to indulge in on that last evening of mine—

And the street if crossed out—

at 879—

The address crossed off. Do you recall the conversation referred to theron?

Mr. SERVICE. In a general way, sir.

Mr. MORRIS. What was it, Mr. Service?

Mr. SERVICE. That in early April 1945, I received very urgent orders to return to the United States by a certain date; there was no explanation, but the fact that I was told to return here by a certain date gave ground for speculation that there was another specific job in mind for me. The war was advancing rapidly in the Pacific. Our pleasant speculations were that I was going to be sent out somewhere in the Pacific, perhaps—well, I don't know where—somewhere in the Pacific.

Mr. MORRIS. The second paragraph reads:

The paper tiger roared loudly enough around here to drown out the very general—

The word is crossed out.

but—

Word crossed out—

timid—opposition.

Who is the paper tiger?

Mr. SERVICE. That is a popular Chinese nickname for General Hurley. It was well-known to everyone.

Senator TYDINGS. Order in the court.

Mr. MORRIS (reading):

And, based on the Tiger's modest account of his achievements, the big boss said: "Keep it up."

Who was the big boss?

Mr. SERVICE. The big boss was the President.

Mr. MORRIS (continuing reading):

After that, the table pounding in regard to yours truly was only a matter of course.

Mr. SERVICE. After that, General Hurley's demand for my recall was a matter of course.

Mr. MORRIS (continuing reading):

Especially disappointing was the "political sense," in the narrow meaning, by the man I had hoped would fight.

Mr. SERVICE. I don't recall whom I referred to there.

Mr. MORRIS. Who was the man you had hoped would fight?

Mr. SERVICE. I don't remember.

Mr. MORRIS (continuing reading):

I am now assigned to a safe job here but have been urged to bide my time.

By whom?

Mr. SERVICE. Well, by "safe job," I had been working in China, I was living and breathing it; I was anxious to get an active job. I had

been given a job first on consultation and then a job in the office of Foreign Service, where I was doing administrative work; but my friends had said, "Don't worry, you won't be struggling with this job much longer; you will eventually get out to the field."

I had been told by friends in the Department to bide my time. The war was on. I wanted a job, something other than what I was doing, which was research.

Mr. MORRIS. And you say:

And there is a feeling that good jobs should go to good party members.

Mr. SERVICE. You have to look at the words crossed out.

Mr. MORRIS. I can't read them.

Mr. SERVICE. What I had started to write here—and, I think, if you look at it carefully, sir, you will see, this was in April, April 16, the President had died 4 days before, President Truman had just become President, and I started to write:

There is now some feeling that Republican officeholders—

And since this was going through postal channels, over the hump, I thought that that might not be a good way to phrase it; so I simply said:

There is a feeling that good jobs should go to good party members.

By which I meant that the feeling in Washington, the current gossip, which I think you can confirm, was that when the Truman administration came in, there would be more emphasis on giving important jobs to Democrats, and that some of the Republicans holding important jobs might lose their jobs.

Mr. MORRIS. So your reference there was to the good Democratic Party members?

Mr. SERVICE. Yes; that is right, sir.

Mr. MORRIS. I have here a letter which was written from the United States Pacific Fleet and Pacific Ocean Areas, Staff Cincpac, Advance Headquarters, Box No. 5, Fleet Postoffice, San Francisco, April 2, 1945. It reads: "Dear Jack." It is signed "Jim."

Would you look at that and identify the letter for me, Mr. Service?

Mr. SERVICE. Yes; I recognize the letter.

Mr. MORRIS. Who sent the letter to you?

Mr. SERVICE. I don't want to avoid the question, but I might say that I have been questioned extensively and in great detail on all of these items by the loyalty and security board, and we assume that that full transcript will be available to the committee, should you wish to have it.

Mr. MORRIS. Who wrote that letter, Mr. Service?

Mr. SERVICE. Mr. James K. Penfield, Foreign Service officer, class 1, recently with the Embassy in Prague.

Mr. MORRIS. He writes [reading]:

DEAR JACK: Your returning boss gives me a chance to get this line off to you.

Why does that give him a chance to get this line off to you?

Mr. SERVICE. Mr. Penfield was at that time attached to Admiral Nimitz' headquarters in the Pacific, I think, at Guam, in the same sort of capacity in which I had been assigned in China—as a political officer attached to his staff.

This letter, I think, is written April 2, is it not?

Mr. MORRIS. That is right.

Mr. SERVICE. Mr. Penfield thought that I was still in Chungking. General Wedemeyer, who was my boss, had been here in the United States on consultation and was returning to Chungking via the Pacific. Our campaigns, particularly in the Philippines, had progressed by that time to the stage where we were, for the first time, able to reach China directly across the Pacific, instead of all the way around the world, as we had before.

Mr. MORRIS. He says [reading]:

I'm in the Future Plans Section technically but mostly am getting an education in what goes on in the Pacific, trying to keep up on China. The former is fascinating, the latter difficult. If you could find a safe way to send me an occasional copy of your memos, I'd be grateful.

What does he mean by "If you could find a safe way to send me an occasional copy of your memos, I'd be grateful"?

Mr. SERVICE. We had similar experience even in our own theater. These were memoranda which I wrote and which Mr. Penfield was anxious to receive, since he was, supposedly, advising Admiral Nimitz' staff regarding China and had very little material there to work on. These were unusual—I mean, they were different from the normal type of Army paper, and there were complications in forwarding them through channels to be sure that they reached the man.

Mr. MORRIS. Why couldn't they be sent through channels?

Mr. SERVICE. Partly because of the time involved and the chances of their being bogged down on the way, on somebody's desk, or getting to the wrong office.

Mr. MORRIS. You wouldn't use the word "safe" there, would you?

Mr. SERVICE. That is what he meant, sir. He meant a feasible means, to be sure that they would get to him—not get stuck on the way.

After all, I was in an Army theater. He was in a Navy theater. We would have had to have sent them all the way through the States, presumably. They would have to pass through the War Department and be transmitted to the Navy Department. And there would have to be explanations and discussions all the way along among people who didn't know what my status was or what his status was, because we were in a vague sort of status, as civilians attached to, in my state, Army, and, in his state, Navy headquarters.

And Mr. Penfield simply says:

If you can find a way to get these to me expeditiously and safely, I will be happy to get some of these reports.

Mr. MORRIS. Was it an effort to circumvent the censorship laws?

Mr. SERVICE. Of course not. There was no way to obviate censorship laws. But he was hoping to find a way of supplying himself with copies of the reports I was writing on China.

Senator LODGE. Did censorship apply to one employee of the State Department writing to another?

Mr. SERVICE. Yes, sir.

Senator LODGE. It did apply?

Mr. SERVICE. Yes, sir. Everything that we forwarded by State Department pouch was placed in an envelope, an open envelope.

Senator LODGE. And the only way you could have communicated with your colleague, your opposite member there, with Admiral Nimitz, was all the way back to Washington, and then somebody in the War Department, somebody in the Navy Department, and then shooting it all the way out again!

Mr. SERVICE. My reports, I would have taken them to G-2, in Chungking, shall we say, and G-2 would have written an explanation and bucked them, shall we say, back to the War Department, and then the War Department, someone would have scratched his head and bucked them over to the Navy Department; the Navy Department would have had them forwarded to Nimitz, and even in Nimitz' headquarters, which I assume was a very large organization, there might be some confusion and doubt as to who this man Penfield is, and what his status.

Senator LODGE. Supposing you had something important about China that you thought Penfield ought to know; is the quickest way that the mind of man devised for you to communicate with each other? It seems fantastic.

Mr. SERVICE. I was doing background reporting. Now, if there was anything important that I knew of, that the Embassy or the Army did not know of, I would simply go to the Embassy or, in the first place, to the Army, and I would say, "Here is something that looks important." And if they agreed, they would dispatch a telegram immediately to the War Department or State Department. Very often I did come in with information which they forwarded by telegram. If they thought it should go on to some specific designation, they would say, "Please repeat for Moscow," or please repeat some place else. There were telegraphic channels, certainly, for getting information quickly; but that wasn't the kind of information I was dealing with.

Mr. MORRIS. Mr. Service, how was this letter delivered to you?

Mr. SERVICE. I am sure that the letter was addressed to me in Chungking; that it reached Chungking.

Mr. MORRIS. It was sent by mail!

Mr. SERVICE. To APO.

Mr. MORRIS. You mean, this went out by mail?

Mr. SERVICE. I presume so.

Mr. MORRIS. What does he mean by saying: "Your returning boss gives me a chance to get this line off to you?"

Presumably, the boss carried it with him.

Mr. SERVICE. I had forgotten that. Maybe General Wedemeyer carried it to Chungking, but when General Wedemeyer arrived in Chungking, I had already left.

Mr. MORRIS. There is an implication that an air-mail letter sent from Guam to Chungking is going to arrive as quickly as a man taking a letter to Chungking—the difference will be slight!

Mr. SERVICE. Yes; but, as I said, I have no knowledge of how it was sent to Chungking. I assume, since you have refreshed my memory of that first line, that it was carried from Guam to Chungking by General Wedemeyer.

Mr. MORRIS. Let me go on:

So far as I can find out this is the only opportunity I'll have to communicate with you—until and unless Lud and Emerson come through.

Why should that be the only opportunity to communicate; why couldn't he send another letter to you?

Mr. SERVICE. Because APO letters from different theaters came all the way back to the United States, and I do not believe there was direct—

Mr. MORRIS. That is not so.

Mr. SERVICE. That is my understanding, sir. I may not be correct. But, since he was Navy, and I was Army, he was in the Pacific, and I was in China, and in any case, this line which I spoke of, which had been set up between Guam and China, was not at that time a regular one, it was simply for VIP's, who might be going through; and I think all it means is that it won't be convenient for him to write, because it would have to come all the way back to the States.

Mr. MORRIS. He says.

So far as I can find out this is the only opportunity I'll have to communicate with you until and unless Lud and Emerson come through.

What does he mean by that?

Mr. SERVICE. I am sorry, I don't know.

Mr. MORRIS. He could write on any other occasion!

Mr. SERVICE. He could have; yes, sir.

Mr. MORRIS. He goes on:

What goes on these days in the old country? I got a chuckle out of the news this morning that old Lung Pi-wu is going to be a delegate to the S. F. conference.

He uses the term "old Lung Pi-wu" as a term of affection, doesn't he?

Mr. SERVICE. I wouldn't say so. Lung Pi-wu had been Communist representative in Chungking, the official representative there for a considerable time during the war. He is an elderly gentleman. You know, the caricature of a Chinese scholar, a mustache, rather courtly, old-fashioned manners. Not an impressive, dynamic sort-of-person.

I think that he is simply saying that it is amusing to think of Lung Pi-wu as a member of the Chinese delegation at San Francisco, with all of the excitement, and so on, there.

Mr. MORRIS. And he says: "Best to the boys—especially Sol, if he is about."

Who is Sol?

Mr. SERVICE. I assume that the Sol he refers to must be Mr. Adler, who was Treasury attaché in China during most of the war, and knew both of us.

Mr. MORRIS. He has been identified before several congressional committees as a member of the Communist Party, hasn't he?

Mr. SERVICE. I don't know about that. I understood he had cleared himself of any such charges.

Mr. MORRIS. I believe Miss Elizabeth Bentley so testified.

Mr. SERVICE. Following that, he was cleared by his department loyalty board, I think you will find the record on that to be so.

Mr. MORRIS. I made reference to the fact that there was testimony introduced before congressional committees that he was a member of a Soviet espionage ring.

I would like to put this letter into the record.

Senator TYNDERS. All right, Mr. Morris. I suppose that is so personal that it doesn't need declassification. There would be no objection to putting it in the record.

Mr. MORRIS. I have offered the whole thing; I have read it all. I think that is sufficient.

Senator TYNDERS. Put it in, if you want to.

As a matter of fact, I am not going to make any objection, but Mr. Service is not being charged with any crime by any court; he has not been indicted; these are his personal papers. The fifth amend-

ment, the fourth amendment, might apply, that a man has the right to be secure in his house, as to his personal papers and effects. We are away from that a little bit, but I am not complaining about it. These papers should have been returned to Mr. Service, if he wasn't indicted, as any person arrested has a right to have his personal papers returned.

Mr. SERVICE. They were returned to me, sir.

Senator LODGE. These are photostats.

Senator TYDINGS. It wouldn't make any difference; they were gotten surreptitiously, or gathered in the course of an arrest; he has been released, and he has a right not to have his personal papers flaunted all over the place. That is, if you want to live under the Constitution. Of course, the Russian system is to take anything you can get your hands on.

Senator LODGE. Didn't the Department of Justice give this out?

Senator TYDINGS. The Department of Justice has no more right in this country than I have. I can tell the President what I think of him, without going to jail.

Senator LODGE. It is too bad if the Department of Justice is breaking the law; if so, we are in trouble.

Senator TYDINGS. I think the Department of Justice is indulging in a questionable proposition in keeping personal papers. But I am not making objection to it. Go ahead with the questions. I wouldn't like it, if I were in similar circumstances, if a crime had not been committed, there had been no indictment.

Mr. MORRIS. Do you object to our reading these letters, Mr. Service?

Mr. SERVICE. I have no objection, if the committee thinks it will help them.

Senator TYDINGS. Let them all go in; put them in.

Senator LODGE. Did Mr. Service ask to appear?

Senator TYDINGS. Yes.

Senator LODGE. Is he willing to be questioned?

Senator TYDINGS. Go ahead.

Senator LODGE. Is he willing to be questioned?

Senator TYDINGS. I assume so. He hasn't got much option here.

Senator LODGE. Let the record show that I don't want to constrain Mr. Service. I understood that he did, because he asked to be here, and came here.

Senator TYDINGS. I am not talking about his testifying. We were talking about his personal property, having been seized and broadcast, without any proper authority of law.

Mr. MORRIS. I think, Senator, I should say, reading these letters, and not being able to understand them, I asked the FBI, in executive session, if they would explain the various references throughout. They said that they would. They asked me if I would make a memorandum to that effect. I made out the memorandum, and I passed it on to the FBI. The FBI, apparently, was not able to answer the questions unless it had the Justice Department's permission.

Senator TYDINGS. I am satisfied. Go right ahead with them. Don't bother to explain.

Mr. MORRIS. I think I should say, if they had answered the inquiries I had directed to them, this would not be necessary.

Senator TYDINGS. I don't see how they could interpret another man's mail. Go ahead.

Mr. MORRIS. If they possessed additional information, they would be able to answer some of these things.

Senator TYDINGS. I am in your camp. Go ahead.

Mr. MORRIS. This is a letter from a man named Max Knight, to Mr. Jack Service, care of Neil Brown, OWI. It is addressed from 1850 Euclid Avenue, Berkeley 8, Calif.

May I show this to you, Mr. Service, and ask you to identify the letter?

Mr. SERVICE. Yes; I believe I received such a letter.

Mr. MORRIS (reading) :

DEAR JACK SERVICE: I do hope you don't resent that I now trouble you long distance. But my conscience bothers me; I know how I would feel if I were in Dr. Schwarz' shoes (and I would not be in his shoes save for some fortunate circumstances, including J. S.).

Will you tell us that reference, Mr. Service—who is Dr. Schwarz?

Mr. SERVICE. Well, I don't know Dr. Schwarz. The writer of this letter was a young man who escaped from Prague, I believe it was, just ahead of the Nazis, and had a pretty tough time as a refugee, and came to Shanghai and applied for a visa, immigration visa for the United States, I believe, early in 1941, when I was working in the consulate general, in charge of a visa unit, handling immigration visas.

He had a very good case, very well documented, good sponsors, and in the normal course of business he received an immigration visa. He was a rather emotional, high-strung person, as I remember him. I only saw him in the office two or three times, when I was getting his visa. And he was very appreciative of having the chance to come to the United States.

Now, the Schwarz that he refers to—I think that is the name—was a Czech refugee who was still at that time in Shanghai. I am not sure—he didn't have sufficient documentation, or what it was, I don't remember, I don't remember why he had not received a visa for the United States.

Mr. MORRIS. Now, one paragraph:

Actually I have little to add to Kurt's story—

Who is Kurt?

I just may add his address: 178 Route Mayen—

Mr. SERVICE. I think that the "Kurt" there refers to this Dr. Schwarz.

Mr. MORRIS. Dr. Schwarz!

Mr. SERVICE. May I give the background of the story?

Senator TYDINGS. Would you like to read the whole letter?

Mr. MORRIS. Why don't you look at it, first?

Mr. SERVICE. Yes.

When I was in the United States in 1944, I had, as I have already mentioned, gone out to California to spend some leave with my family, who live in Berkeley, just across the bay from San Francisco. The headquarters of the Pacific operations of the Office of War Information, the operating headquarters, was in San Francisco, and I had been requested, while still here in Washington, to call on OWI, and to give the people there the same sort of chance that agencies here in Washington had had to interrogate me about China, particularly, propa-

ganda matters, the effectiveness of their work in China, programs, and so forth.

When I met with the OWI staff in San Francisco, I saw a young man whose face was familiar, and after the meeting he came up and introduced himself to me, and reminded me that he had met me, he was this Max Knight.

At that time, he told me about these very close friends, Czechs, by the name of Schwarz, who were still caught in Shanghai, with no hope of getting out. He told me something about the difficulty of their situation, and he wondered whether it would be possible for me to send them, after I returned to Chungking, just a greeting from him, saying that I had seen him, that he was well.

Now, this is an odd matter, perhaps, but it was possible all through the war to send mail and telegrams from Chungking, in free China, to Shanghai, in occupied China. The letters usually had to be in Chinese, addressed in Chinese, but there were regular mail facilities open. The mail was passed through some neutral zone. And he asked me if I would be good enough to simply write a letter to this Dr. Schumacher, trying to give him a bit of good cheer.

This letter is obviously a follow-up to be sure that I knew the address, and particularly the word for the English name, or French name, of the street.

Mr. MORRIS. Did you ever violate the censorship regulations, Mr. Service?

Mr. SERVICE. Did I, sir?

Mr. MORRIS. At any time.

Mr. SERVICE. Not to my knowledge. This was not a question of violating censorship. It was simply—

Mr. MORRIS. This is an independent question. Have you ever violated the censorship regulations?

Mr. SERVICE. In putting it in the post office and sending it? I am not sure whether I ever sent a message that he wanted me to send.

Mr. MORRIS. Is it your testimony, Mr. Service, that you have never violated censorship regulations?

Mr. SERVICE. To my knowledge, I never have.

Mr. MORRIS. Haven't you been reprimanded for violating censorship regulations?

Mr. SERVICE. Not that I know of; no.

Mr. MORRIS. Did General Hurley ever reprove you for that?

Mr. SERVICE. He certainly did not; that I can remember. In fact, it wasn't General Hurley's prerogative. I was under Army orders, under Army jurisdiction. The Army never did.

Mr. MORRIS. When you were arrested on June 6, 1945, did you make a statement to the FBI?

Mr. SERVICE. Yes, sir.

Mr. MORRIS. Do you have a copy?

Mr. SERVICE. A voluntary statement.

Mr. MORRIS. Do you have a copy of that statement?

Mr. SERVICE. Yes, sir; yes, I have a copy.

Mr. MORRIS. May I see it, please.

Mr. SERVICE. I have no objection.

(A paper was handed to Mr. Morris.)

Senator TYDINGS. While you are looking at that, in your written statement on page 23, you say:

At the time of my arrest on June 6, only 8 days after this occasion, I described to the FBI my recollection of the events of this evening as follows.

Is that a part of your statement?

Mr. SERVICE. That is a quotation from my statement; yes, sir.

Mr. MORRIS. Mr. Service, have you ever been a member of the Communist Party?

Mr. SERVICE. I have never been a member of the Communist Party.

Mr. MORRIS. Have you ever transmitted secret military information to Mr. Jaffe?

Mr. SKAVICK. I don't mean to quibble, sir, but there must be some definition of terms. I have never knowingly transmitted any information which was, we will say, secret military plans, but in discussions at that time, background discussions, it was customary for military officers, and other officers, from the highest down, under certain circumstances, and for sound reasons, to mention and give writers, for their background guidance, information which certainly was contained in some classified documents.

Mr. MORRIS. Mr. Chairman, may I suggest that the testimony which this committee has received, to the effect that Mr. Service transmitted secret military information to Mr. Jaffe, be made a part of the record here today?

Senator TYDINGS. The testimony that we have received?

Mr. MORRIS. That this committee has received in executive session.

Senator TYDINGS. It is already in the record.

Mr. MORRIS. I ask that it be made a part of the record of today.

Senator TYDINGS. We will try to get any part you want in the record. We won't make any of it public, but we will put it in the record. We will not make it public until it is all in. We will not let it go out piecemeal.

Mr. MORRIS. It is pertinent to this examination today. I want to confront Mr. Service with this testimony and ask him to comment on it.

Senator TYDINGS. We are not going to release testimony of other witnesses taken in executive session until we release the whole record.

Mr. MORRIS. It does make an examination difficult; doesn't it, Senator?

Senator TYDINGS. I wouldn't think so.

Senator LODGE. Will we be able to hear Mr. Service in executive session?

Senator TYDINGS. Yes.

Mr. MORRIS. At the same time, it may be of such a nature that Mr. Service could explain.

Senator TYDINGS. I imagine that all of it will be made public—I certainly hope so—at the conclusion of our hearings. But, as long as we are proceeding in executive session, I don't want to let part of it go out, until the whole story can come out, and the people can get both sides, and all sides at one time. Inadvertently, there have been too many stories that haven't balanced well with all the facts.

Mr. MORRIS. Mr. Service, will you tell us who contributed to your legal defense?

Mr. SERVICE. A number of personal friends. A number of members of my family loaned me money. That money was, in most cases, returned. In some cases, particularly my own family, they would not permit me to repay them.

In addition to that, I understand that a group of my friends and associates, mainly in the Department of State, decided among themselves, as a voluntary effort, to raise a small fund to assist me.

I was at that time sensitive about accepting help, and I did not want to know who had contributed or who had not contributed. The net fund was completely anonymous. I understand that it was raised in very small amounts, very small contributions, by various friends of mine.

I accepted \$500—rather, I allowed my sister-in-law to accept \$500 to reimburse her for the \$500 which she had paid to the bondsman, the professional bondsman.

Mr. MORRIS. Did State Department employees contribute to your defense fund?

Mr. SERVICE. There may be some State Department people. As I say, it was an anonymous fund, and I cannot tell you in detail who it was.

Mr. MORRIS. Is it your testimony that you do not know, or that it was formally an anonymous fund?

Mr. SERVICE. My testimony is that I do not know, in detail, who contributed to the fund.

Mr. MORRIS. When you say you don't know in detail, you are qualifying your lack of knowledge?

Mr. SERVICE. I have a very good reason to assume that so-and-so and so-and-so, who are friends of mine, contributed \$10 or \$20 or, I think, in some cases, the highest was \$50.

Mr. MORRIS. Who made that contribution, Mr. Service?

Mr. SERVICE. Which?

Mr. MORRIS. Who made the \$50 contribution?

Mr. SERVICE. As I say, I do not know the details, sir.

Mr. MORRIS. Now, I have a few questions here in connection with your address-book. I ask these questions in recognition of Justice Jackson's recent decision that guilt by association is an inherent and well-established concept of our law today. Justice Jackson, in a recent legal decision, has said that, when we are dealing with a conspiracy, one of the things that we must take into consideration is the theory of guilt by association.

Now, since it has gotten recognition in a majority decision of the Supreme Court, I think we can take it into consideration here.

I am going to ask you if you will explain your association with some of the people who appear on this list:

You have on your address list the name, Eugene Vinogradoff?

Mr. SERVICE. Mr. Vinogradoff was press attaché of the Soviet Embassy in Chungking during much of the time that I was there. I had an acquaintance with him through diplomatic functions, in the normal way that you become acquainted with your colleagues. He spoke English quite well, and I became, probably, better acquainted with him than most Americans, with Soviet officials, even at that period, 1944 and 1945. I borrowed books from him on communism. I read several books by Lenin from his library. And we used to discuss the situation in China. He gave me, on several occasions, rather

frank expressions of the Soviet attitude on China, which I reported to my superiors in memoranda, which, if all of my reports are made available to the committee, you will be able to see.

When I was leaving Chungking, I saw him, and he hoped that we would have some future contact—that was still during the war, and there were more friendly contacts then, or social contacts, between Soviet officials and American officials; and he insisted on giving me an address, which, apparently, I wrote in my address book. I have never communicated with him or heard from him.

Mr. MORRIS. You have the name of Clinton Stein, who has been named by General MacArthur as a Soviet espionage agent.

Mr. Service. Clinton Stein was representing the Christian Science Monitor in China throughout the war. He had been in Chungking. He was up at Yenan during the period that I was there. He had come back here to the States, and in the spring of 1946 was very busily engaged in completing his book on his trip throughout the Communist area. I think that I saw him once, very briefly, in New York, on April 24 or 25, on April 25, probably, 1946. I have not seen him since.

Senator TYDINGS. I would like to ask, Mr. Morris: We would be very glad to give you an opportunity to examine the witness in executive session tomorrow; and any other questions you want to ask, apart from the executive session, we will be glad to furnish you the time.

Mr. MORRIS. Yes. In fact, I think questions like these, properly should be in executive session, because there are names in here that I would rather not go into in public session.

Senator TYDINGS. It is a quarter to 7. Let's fix it this way:

Mr. Service, and your attorneys, I would like to have your attention.

I would like to have you gentlemen in executive session tomorrow at 1:30, in room G-23, 1:30 tomorrow afternoon.

Mr. MORGAN. Mr. Chairman, before we break up, I notice these documents, which are official Government exhibits, are all spread out, but I understand that Mr. Morris will want those in his examination; is that true?

Mr. MORRIS. Yes.

Mr. MORGAN. I suggest that you get them all together and keep them. We have them under a qualified privilege.

Senator TYDINGS. At 1:30 tomorrow, in room G-23, in executive session.

Mr. REILLY. Mr. Chairman, would it be possible to have the session public? We had hoped to not have any further mystery about the Service case. We would like everything against him out in the open.

Senator TYDINGS. I wouldn't mind its being public, myself. Do you see any objection, Mr. Morgan, on these documents? I can't see what objection there would be. Mr. Morris is going to confine himself to the documents, and not going into the FBI testimony.

Mr. MORRIS. Senator, the difficulty there is, unless you have all the testimony accessible—I mean, if certain things have to be kept in executive session, and certain other things may be out in the open, I think an erroneous impression is going to be given.

Senator TYDINGS. I don't want to have the FBI testimony go out in pieces. I want it all to go out at one time, so that the people will get the whole picture of the FBI testimony, which I think is one of the most important links in this whole chain. I think it will educate us

all as to what happened in the Amerasia case. I am anxious, when it goes out, for the whole story to go out, so that the public gets it without any strings tied to it. I don't want to see it go out in pieces.

Therefore, unless we can have some restriction on the open session, I will have to ask you to protect our record. It is only about some documents, I understand, that Mr. Morris wants to ask about. Maybe we can release it. I don't know. I would have to see what the testimony is, beforehand; otherwise there will be all sorts of false impressions, radio, headlines, and so forth.

Senator GREEN. Mr. Chairman, I thought the rule had been laid down, and I referred to it this morning the first thing, that if any witness who had been accused publicly asked for an open session, he would have it; otherwise, it would be in secret session?

Senator TYDINGS. That is right.

Senator GREEN. The witness has asked for it.

Senator TYDINGS. Let me say this: This testimony was taken while you and Senator Lodge were on a subcommittee mission of your own. It is very extensive, and goes into a great many ramifications of this whole case. I think it will bring to light the information and evidence which I believe the people of America are waiting to hear.

Now, I have no objection to the examination of the witness on the documents that are mentioned by the FBI; but I am a little concerned that, if we get this out, it will be out in "gobs"—it is very long testimony, and a false impression might be created. That is the only concern of the chairman.

I want to accommodate you, and I want to accommodate Mr. Morris. I think all of that testimony ought to be released at one time. That is my only thought in the matter. I have nothing else in mind, at all, except the public interest.

Mr. REILLY. Our concern, Mr. Chairman, was to end the hearings at this point. To go into executive session would indicate that Mr. Service was afraid to answer some embarrassing questions.

Senator TYDINGS. It won't have that connotation. We do it solely for the reason of the evidence given by the FBI in executive session, the longest testimony, I believe, we have had in the case.

I am very anxious for the press to have it. I hope, before long, we can release it. But I don't want to see it released in homeopathic doses so as to create a false impression.

Senator LODGE. I think we have two propositions. One is to give Mr. Service his opportunity, in justice to him, as an individual. The other is to follow up this investigation as efficiently as possible. There are a great many things, in the interest of a thoroughgoing investigation, that are much better done in executive session.

Mr. Service appears before us in a dual capacity—to defend himself, and he also appears before us to help us in this Amerasia case.

I don't believe you want to foreclose us from getting the benefit of whatever help Mr. Service can give us in private?

Mr. REILLY. No; that is not our purpose.

Senator TYDINGS. Thank you, Senator Lodge, for a very wise observation.

At 1:30 tomorrow afternoon, G-23, we will proceed in executive session.

(Whereupon, at 6:50 p. m., the committee recessed, to reconvene at 1:30 p. m., Friday, June 23, 1950.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

FRIDAY, JUNE 23, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met at 1:30 p. m., in the Senate Caucus Room, room 818, Senate Office Building, pursuant to adjournment on Thursday, June 22, 1950, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senator Tydings (chairman of the subcommittee); Green; and Lodge, of the Foreign Relations Committee.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Robert Morris, assistant counsel of the subcommittee; John F. Service, Foreign Service officer of the United States, Department of State, and counsel; Gerard D. Reilly, Esq., and Charles Edward Rhett, Esq.

Senator TYDINGS. The committee will come to order.

Yesterday when we recessed, it was with the idea of going into executive session to continue the examination of Mr. Service. This morning, there were printed in the press numerous stories which carried the connotation that perhaps some effort was being made here—it was not quite plain in all the press who was making it—to suppress evidence that ought to be brought out in the open. Inasmuch as Mr. Service's attorneys read those statements in the press, they communicated with us and renewed their wish to continue this hearing in the open, in fairness to Mr. Service.

After I had a chance to read some of these newspaper stories, I thought myself we would leave the matter hanging at loose ends, subject to false interpretations, unless the request made by the attorneys of Mr. Service yesterday was complied with.

Furthermore, when the committee last voted on this matter, it voted to this effect: That the hearings hereafter would be in executive session except that where a person had been accused in open hearings, he would have the right, if he wished, to answer in open hearings. Therefore, this proceeding today is in accordance with the unanimous vote of the committee taken at that time.

Since Mr. Service's attorneys have renewed their request this morning for these hearings to proceed in the open, the chairman has called the hearing in the open in line with committee policy.

Mr. REILLY. May I make a procedural request before you begin, Mr. Chairman? We appreciate very much this opportunity to continue the hearings in open session. However, in the interest of fair

play, since Mr. Service already testified he has no specific recollection of this conversation, it seems to me we gather from the press this morning, having read the statement Senator McCarthy is quoted as saying there was a recording of a conversation between Mr. Service and Jaffe, apparently through some device in the room. Now it does seem to us it is a well-established rule of evidence when a document is used, you pass the witness the whole document. Since in this particular instance he has no independent recollection of the conversation, I submit you should show us either the document you are relying on or, if it is a record that you have, let us play the record.

Senator Lodge. I intend to make a motion, Mr. Chairman, that we have an opportunity to listen to this gentleman and question him in executive session. I think this proceeding of going from public to private and private to public without a vote of the committee—I cannot give my consent to it. I think it is very bad.

Senator Tydings. Senator Lodge, when we decided to have no more open hearings, a motion was made that hereafter all our hearings be in executive session, except that where a man had been accused in the open, he would have the right to reply in the open and, therefore, until that ruling is changed by the committee I have no option when a man who has been accused in the open and asks for an open hearing, but to give it to him.

Senator Lodge. That is not the only thing that is involved here.

Senator Tydings. That is what I am bound by, the policy declared by the committee, whether I like it or not.

Senator Lodge. I do not think this case falls squarely within that policy. I do not think it does at all. If we are not going to have the right to question this individual in private, this investigation will be extremely incomplete and unsatisfactory and unthorough.

Senator Tydings. We can have him in executive session at the committee's request after he finishes what he desires to have in the open at his request.

Senator Lodge. We do not have a quorum here now and I am not going to make a point of no quorum.

Senator Tydings. All right.

Senator Lodge. I do make a motion that, at some convenient time—I want to consider everybody's convenience—that we hear this gentleman in executive session. It is simply incredible otherwise.

Senator Tydings. I think we should hear him in executive session, and the chairman will take the responsibility of arranging a meeting with Mr. Service with the committee in executive session.

Now what was your point?

Mr. REILLY. My request was this, Mr. Chairman and members of the committee: That since it is a well-established rule of evidence where a witness cannot remember, that the whole document be passed him. Apparently what Senator McCarthy says that the committee has is a record. We think that the record should be played and that the witness should be allowed to explain it.

As Senator Lodge said here yesterday, he wanted Mr. Service not only to appear to have an opportunity to clear himself, but also to assist the committee in any way possible. I think that is the only way he could be helpful, because he has testified he has no independent recollection of this conversation.

Senator TYDINGS. I think that is a fair request, where a man is interrogated about a matter, the whole matter is entitled to be considered. Certainly, if it is 5 years old, he is entitled to refresh his recollection. I do not know—**Mr. Morris,** have you such a document that we could have, the conversation between Mr. Service and Mr. Jaffe?

Mr. MORRIS. Senator, I make reference to the testimony of Messrs. Ladd and Nichols in executive session, and rather than give my version of it, we should turn to the minutes of that occasion and present the evidence.

Mr. MORGAN. In that connection, it occurs to me that in asking the question yesterday as to whether or not this executive testimony would be placed in the record, the question was asked in such a manner and the testimony given characterized in such a way that it seems to me that we have no alternative at this point but to read into the record now that portion of the executive testimony that related to this particular matter.

Senator TYDINGS. Just a moment. I am familiar with that executive testimony and I think it was pretty well decided yesterday when we recessed that, when we continued today, we would deal only with that part of the executive testimony which had to do with Mr. Service. I am willing to hear suggestions on the matter, as to whether, we should or should not, purely limited to Mr. Service.

You want it in, do you not?

Mr. RHETTS. Mr. Chairman, in that connection, what, of course, we have requested is—

Senator TYDINGS. Just a minute, please.

Mr. MORRIS. At the last executive session the Federal Bureau of Investigation was pursuing a line of questions, and the indications on the part of the committee members were that I was taking up the time of the committee. So it was decided that I would have permission to continue that line of questioning with the FBI, and the whole committee, so—

Senator TYDINGS. That is why I want to know what it was. This is the first time I have seen it. Go ahead, Mr. Rhetts.

Mr. RHETTS. Our request is this: If, for example, as it has been reported Senator McCarthy stated yesterday, the FBI made some kind of a recording of some conversation, we suggest that the fair and the only helpful thing is to have the full recording and not what somebody characterizes the recording as being.

In short, our suggestion is that we have the full story, so that we may know what it is and that we may try to be helpful to the committee in explaining it or in reconstructing it, since the witness has testified he has no independent recollection.

Senator TYDINGS. That is a rule of evidence, of course, because if you permit one sentence of anything to go in out of context, it can be completely misleading as to what the purport of the whole conversation was.

You might say, "I am going to kill Bill Jones' cow," and stop there, but if you say, "I am going to kill Bill Jones' cow providing he requests me to do it as a friend and neighbor," that is a different thing. That is one of the common illustrations made of the use of partial testimony.

I think your request is a proper one. I have already asked the FBI and the Department of Justice to give me the context of the

whole thing. I have not been able to get it, and I think it was rather not in the interest of altogether presenting the whole picture to take one or two little sentences out and put that in the testimony rather than the whole thing, and I have asked Mr. Morgan, our counsel, to keep after the FBI and to see if we cannot get the full text of the matter.

In the meantime, Mr. Service is put to the disadvantage or the advantage, according to what is read, of having just one little part of the conversation read, from which you can draw any kind of interpretation that suits the particular passion or emotion or prejudice you happen to feel at the moment.

Mr. MORRIS. May I say in connection with the question that was directed to the witness yesterday, there was implicit in the fact that we had an open hearing and that I had the obligation of interrogating the witness, the inherent right to have access to whatever evidence we had bearing on this particular case. It would be very unfair if, with the evidence that we possessed, it were denied me in my examination.

Senator TYDINGS. That is true. But what I am talking about is evidence that you do not possess and that I do not possess and only the FBI possesses, from which you will read one sentence, which could or could not give a clear picture of what that evidence was. That is my point.

Mr. MORRIS. I agree with you, Senator. I made reference to Mr. Morgan's previous statement.

Senator LODGE. I think you are right about that, and that is why I wondered whether we should not suspend these proceedings until we can get the whole thing, because what Mr. Morgan has there is just a piece of it.

Senator TYDINGS. I agree, I have not seen what the FBI has. I have seen this one short comment of—is it three lines?

Mr. MORGAN. Two lines.

Senator TYDINGS. Two lines, which is a part of the testimony of an FBI witness. I think it would be very unfair, even if it is in your favor, to use it. I think it is very unfair if it is not in your favor to use it, unless the whole picture is presented with it, because the public ought to get the whole truth when they get it and not something that serves anybody's purpose who wants to distort it or use it.

Mr. RUGGERS. That is precisely our position.

Senator TYDINGS. I am open to suggestions, now that we have gotten into this proceeding, how we can proceed and do it in fairness to the public, to Mr. Service, and to the interrogating counsel.

Senator LODGE. I suggest, Mr. Chairman, that we adjourn this meeting until we can get the full substance of this assertion. It seems to me we have got to.

Senator TYDINGS. What is your thought, Mr. Morgan?

Mr. MORGAN. Well, I suggest this thought, Mr. Chairman. Assuming we are unable to get it all, where does that put us with respect to our present record?

Senator TYDINGS. I do not know.

Senator LODGE. We will have to cross that bridge when we come to it.

Senator TYDINGS. I have already asked them, and they have not given it to us.

Senator LODGE. Did they refuse to give it to you or is it because they cannot find it?

Senator TYDINGS. So far as I am advised, they have refused.

Senator LODGE. Did they give any reasons for refusing?

Senator TYDINGS. Part of their own records.

I am willing to hear any suggestions.

Mr. MORAN. Mr. Chairman, the press of the country today is carrying a story to the effect that incident to a microphone surveillance installed at the Statler Hotel, certain conversation took place and certain things transpired. Now, it occurs to me that we are now in the position of having to resolve this one way or another right now to the satisfaction of everyone.

Senator TYDINGS. What do you recommend?

Mr. MORAN. Abhorrent as it is to me, by reason of what has now gone before, I think we are in the position of having no alternative but to present this portion of the record that we now have with the understanding that it is incomplete, that it does not present the whole story, and go from there in the hope that maybe some day we will get the whole story.

Senator LODGE. Before you do that, I would like to know whether that is satisfactory to you.

Mr. RUETTS. No, Senator, it is not.

Senator LODGE. That is why I thought you would be better off in executive session this afternoon because of this testimony, and yet you do not want to have an executive session. When we have a public session, which is what you want, then you do not want to hear this.

Mr. RUETTS. Perhaps I did not make myself clear—

Senator TYDINGS. Let me interrupt a moment. Of course, you must all proceed under the idea that whatever we get in executive session is very likely some day to be made public. So that all you are doing when you go into executive session, if you assume a situation that is not going to be fair to you in open session, it will not be fair to you in executive session if we eventually make the testimony predicated on what we have been discussing here available. So that all we do is postpone the evil day by going into executive session.

Senator LODGE. You know, a few things in the record are never going to be made public.

Senator TYDINGS. There will be one or two things in there, but I doubt if we could take a matter of this magnitude out.

Mr. RUETTS. Perhaps I did not make myself entirely clear. What I am trying to suggest and what our position is is the position which both Senator Tydings and Senator Lodge have expressed—namely, that on a matter of this apparent gravity the only thing, not only in fairness to the individual, but in fairness to your investigation, the only thing that is of any value is the full transcript or the record of the actual event about which other people are now proposing to testify.

Senator TYDINGS. We ought to have it all or none of it. There is no doubt about it.

Mr. RUETTS. Only that seems satisfactory to us.

Senator TYDINGS. To take one sentence out of a purported telephone or surveillance conversation and utilize it for any purpose is not fair. It is not good Americanism, it is not good law, and it is not in the interest of serving the public, who want to know the truth about this matter.

Mr. MORGAN. That is exactly correct, but at the same time, our record here in public session, as well as reports now in the press, have that particular portion of this information and that is all the public now has. It occurs to me that the only way we can proceed at all, if we are going to go into this situation and finally resolve it, is at least go into this matter right here at this time.

Senator TYDINGS. Let me see if we could do this for the time being. I suggest, first of all, that the letters which Mr. Morris read to the witness yesterday were not classified documents. The letters that were read to the witness yesterday were correspondence for the most part which Mr. Service carried on with certain acquaintances and perhaps friends. They were not classified documents, and they were a part of the so-called 1,700 documents seized in the case, and these particular documents were nothing more than letters for the most part.

I am wondering if part of those letters were put in the record yesterday, whether it would not have been fair to put the whole letter into the record rather than just the sentences that were picked out and read. I would like to hear what counsel for Mr. Service has to say on that particular point.

Mr. RHETTS. In that connection, Senator, I should like to point out, first, that those letters were not found in the possession of Amerasia. They were found in Mr. Service's desk at the Department of State, along with his other personal effects.

Senator TYDINGS. I understand.

Mr. RHETTS. I want to make that perfectly clear.

Senator TYDINGS. These were not seized in any connection with the Amerasia matter at all. They were taken out of Mr. Service's desk in the State Department.

Mr. RHETTS. Now, I certainly think that coming to your next point, if the letters are to be put in, they might as well be put in completely.

Senator TYDINGS. Now that we have covered that, my reason in bringing this up is we would not be breaking any rule of putting in classified documents, because these are not classified documents, but they are a part of the 1,700 papers that were seized or obtained in the case.

Now, I think we got a little too much latitude yesterday having parts of these letters and memoranda, whatever they were, that were in Mr. Service's desk read without putting the whole thing in. I am sure Mr. Morris would want them put in, and my reason for bringing it up now is to ask Mr. Service and his attorneys if they would object to having them put in.

Mr. REILLY. Emphatically not.

Senator TYDINGS. I will take that responsibility by trying to correct the error of yesterday by saying the whole document—it is not a document, we are abusing that word—all the memoranda, letters, or papers that were read yesterday now become a part of the stenographic record; and I will ask Mr. Morris if he will, at his convenience, sort those out, to which he referred yesterday, and give them to the stenographer, and I will ask the stenographer if he will not leave space right here at this point to put them into the record.

(The letters referred to follow:)

UNITED STATES PACIFIC FLEET AND PACIFIC OCEAN AREAS,
HEADQUARTERS OF THE COMMANDER IN CHIEF,
STAFF, CINEPAC, ADVANCED HEADQUARTERS, Box No. 5,
FLEET POST OFFICE,
San Francisco, April 2, 1945.

DEAR JACK: Your returning boss gives me a chance to get this line off to you. I've been luxuriating here on Guam for almost 2 months. I'm in the Future Plans Section technically but mostly am getting an education in what goes on in the Pacific and trying to keep up on China—the former is fascinating, the latter difficult. If you could find a safe way to send me an occasional copy of your memos I'd be grateful—maybe you'll find it practical, maybe not. So far as I can find out this is the only opportunity I'll have to communicate with you until and unless Lud (?) and Emmerson (?) come through.

What goes on these days in the old country? I got a chuckle out of the news this morning that old Lung Pi-win (?) is going to be a delegate to the SF Conference.

Best to the boys—specially Sol, if he is about.

A (s) JIM.

WASHINGTON, April 16, 1945.

DEAR ANNALEE AND TEDDY: The optimistically pleasant speculations we allowed ourselves to indulge in on that last evening of mine at 879 were 180° off.

The paper tiger roared loudly enough around here to drown out the general but timid—opposition. And based on the Tiger's modest account of his achievements, the big boss said "Keep it up." After that, the table pounding in regard to yours truly was only a matter of course.

Especially disappointing was the "political sense," in the narrow meaning, by the man I had hoped would fight.

I am now assigned to a safe job here but have been urged to bide my time. The Tiger's support ended on the 12th, the day of my arrival. And there is a (now some) feeling that good jobs go to good party members.

WASHINGTON, April 16, 1945.

DEAR ANNALEE AND TEDDY: The optimistically pleasant speculations we allowed ourselves that last evening of mine at 879 were 180° off.

1850 EUCLID AVENUE,
Berkeley, Calif., March 7, 1945.

Mr. JACK SERVICE,

Care of Neil Brown, OWI, APO 627, Care of PM, New York, N. Y.

DEAR JACK SERVICE: I do hope you don't resent that I now trouble you long distance. But my conscience bothers me; I know how I would feel if I were in Dr. Schwarz's shoes (and I would be in his shoes save for some fortunate circumstances, including J. S.).

I had hoped to have a chance to see you again before you left—you sure move fast, and it seems you get across the sea sooner than we get across the bay.

Actually, I have little to add to Kurt's story; I just may add his address: 178 Route Mayen (Hwa Ting Lu)—that's the place where the kindergarten is. Perhaps you may want to add his address to your other addressees, in case there is a chance to use it. Kurt's name is also known to Carlson, who used to work in Opintell, and to Pitch; and Lyman Hoover actually knows Kurt. I had a letter from Lyman a few weeks ago.

If you think it possible to write to Kurt, even just greetings so he sees he is not forgotten, I know it would be a great lift for him and Martha. He knows your name. I feel lousy to suggest this to you, and I would feel guilty if I didn't. So here you have my dilemma.

Next month I will celebrate the fourth anniversary of my arrival—and last week my folks (father and mother) arrived in the United States from England on the quota; it took me all those 4 years to get them here, but now I am the happiest guy between the two coasts.

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From time to time in the office we have a chance to see reports which include your name, so we are currently reminded of you. What an interesting job you have.

Well, once again, I hope you won't mind all this too much--but I feel if anyone can appreciate the circumstances it's you.

Very sincerely yours,

S. MAX.
MAX KNIGHT.

Mr. RUSSELL. In that connection, might I make another suggestion? Along toward the close of the proceedings yesterday afternoon, Mr. Morris was relying on the interesting theory of guilt by association and referring to certain names and addresses found in an address book. I should like similarly to suggest that all the names and all the addresses in that address book be made available. If that type of imputation of guilt is to be indulged in, I think we should have that.

Senator TYDINGS. I think that is fair.

(The data referred to are as follows:)

27 - Sunday:

0:30--Terrell

12:30--Jones

28--Monday : 2:30 Reichen--2177Q

29--Tuesday :

12:30--Weaver

7--Rose Ellen--3447

8

Wakefield

30--Wednesday : 0:30--Senator Pepper

1--Friday : 1:00--Rankin--2D850

2--Saturday--Andy

3--Sunday :

Lattimore

Supper for Rose

4--Monday : Paid

5--Tuesday :

12--Lineboyer

7:30--Burns--4002 S 28 R

Fairlington 12 & Penn.

End line

6--Wednesday :

10--Gebb OSS hero

12:30--Duncan Lea

• • • • •

Sol Adler:

88/8172

88/2026

Ameson, Eliz. Yard : Glebe 2431

Atkinson, Brooks:

120 R Dr. 1

En. 2-5298

Arnold, Carl : Ex. 7700/280

Brown, Lt. Knill : Ent. 2D 860

Barnett : 88/4725

Carr : MI. 4321

Colling, Capt. J. : 88/6001

Caldwell, John : OWI 71102

Cowan, Col. Jim :

Ob. 0001

88/74107

Davis, Dan : Navy 2488

Marty : OSS/639

Deonison : RFC/614

Drumright : s/2008

Emmerson, John K. :

1008 N. Walhatch St.

Colorado Springs, Colo.

Engdahl, Lee :

1725 W. Hampshire

Apt. 403

s/2808. Du. 5351

Felan : Navy 69037. Ch. 1891.

John Fairbank : 80/5404

The Hon. Gauas :

17 Circle Drive

Balboa Bay Sher.

Newport Beach, Calif.

Gayn Mall :

802 W 12

Ch. 3-2748

Griffiths :

Garrisonville 17

Fredericksburg, Va.

Gentile : OSS/634

Garrisonville, Va. 17: Ask for Tom Waller
 Hutchinson: OHS 2547
 Hitch, Lt. S. H.: Navy 2488
 Homann, Christine: Ad. 8614
 Harris, Capt.: 80/72800
 Hartom, Cpl. J. N.:
 1985 Service Unit
 McGuire General Hospital
 Richmond 10, Va.
 Bonner, Harold:
 83 C. P. W., N. Y.
 122
 Jaffe, Phil.:
 225 5th, N. Y., 13
 MU 3-0245
 Jones, Col. Paul: Ex. 7700-108
 Little, Herbert:
 8761 W. N. W.
 OHS 2040. WO 8001
 Lyon, Freddy: State 480
 Luden:
 58 Woodard Rd.
 West Roxbury 32
 Boston
 Latimore:
 Roland View Rd., Huxley, Baltimore
 OWI Re. 7800, 72228, Towson 840
 Mr. W. W. Lockwood:
 UN. 4-0200
 110 and Morningside
 Capt. Paul Lineberger: 80/5504
 HellHugh, Col.: OHS/2014. 2188
 Mayer, Col. W.: War 72885
 Mertsky (Coleman) Jeannette: Mammoth
 oneck 2407
 McNally, Col. E. J.: 80/2772
 Pendleton, J. K.:
 U. S. For. Ser. Off.
 Staff Cinepar, 5

Reichner, Phoebe: OHS/2472
 Lt. Col. Franklin Roberts: 80/74107.
 Pent, 2D835
 Lt. Andy Roth:
 1014 N. Queen, Arlington
 810/3802
 Roger Smith Hotel: Nu. 2740
 Italy, Frank: FRA 8132
 Snow:
 Route 1, Madron, Conn.
 Or c/o Mrs. Estelle Carlson
 Int. House Berkley
 Stevens, Mrs. Harley:
 8522 P St. NW.
 Wash. OHS ext. 2831
 Stein, Gruenthal: 102 W. 80, Bu. 2 2000
 Sullivan, Phil: 8/2833: Room 009,
 17120
 Schmitz, Gen. J. W.:
 Fort Belvoir Engineer Bd.
 Temple 6800/2201
 Service, R. M.: APO 210
 Taylor, George: 6530 Broadbank NW.
 Terrell, Gerald:
 3828 Fulton N.W.
 Wba. Cnr N of Fulton
 1½ blocks to left
 Tolstag: OHS/2188
 Vinogradoff, Eugene:
 Columbian P. A.
 Chinese Dept.
 Moscow
 Wilbur:
 1025 Fitzgerald Lane
 Park Fairfax, Arlington
 Al. 0023. OHS. 2050
 Watts, Dick:
 020 5th
 Bu. 8-2100
 Weaver, Capt.: OHS 2232
 Wolfe: Thelma: Ed. 4-8834 NYC
 Yoderman, Rose: DL. 8005

Mr. MORRIS. In connection with those letters, I believe there were three of them to which reference was made: A letter from CINCPAC headquarters, the letter from Mr. Service to Annalee and Teddy, and the third one we had just gotten to when we abandoned the project.

Mr. RUETTS. One from Max Knight.

Mr. MORRIS. From Max Knight, just three letters. I will see that the stenographer gets them in their entirety.

Mr. MORGAN. Is this applying merely to the letters or also to the reports, portions of which were read into the record?

Senator TYDINGS. The reports were Mr. Service's own personal reports and not classified documents, as I understand it. Is that correct, Mr. Service?

Mr. MORGAN. At yesterday's proceedings I believe portions of your reports were read, and you were asked as to whether or not they represented a fair cross section of your reports. I believe you commented that in your opinion that did not so represent a fair cross section.

I am wondering, Mr. Chairman, if you desire to extend your ruling with respect to these matters that have been read into the record to include the incorporation of the full text of those reports where portions of them have been read into the record.

Senator TYDING. They are not highly classified or secret documents, and I feel I could, without impropriety, inasmuch as parts of them were read, direct that the remainder be put in the record, but I think we have to draw the limit somewhere.

(The two reports referred to above are as follows:)

[Report No. 22]

UNITED STATES ARMY OBSERVER SECTION,
APO 879, September 4, 1944.

Subject: The Growth of the New Fourth Army: An Example of the Popular Democratic Appeal of the Chinese Communists.

To: Commanding General, Fwd. Ech. USAF-CBI, APO 879.

1. The growth of the Chinese Communists armies during the present war has proved them to be an extremely powerful political instrument because this spectacular development would not have been possible without the support of the people of the areas in which they have operated. This widespread popular support must, under the circumstances in which it has occurred, be considered a practical indication that the policies and methods of the Chinese Communists have a democratic character.

2. This may seem to be jumping to an ipso facto conclusion.

(a) It might be assumed, for instance, that a patriotic desire to fight the foreign invader was responsible for this popular support. This is partially true.

But to the Chinese peasant (who is the only important class involved, both because of his overwhelming numerical superiority in China and because the Communists have had to operate entirely away from the cities) the idea of active personal resistance was entirely new. In the past the peasant has regarded all governments merely as something to be endured; there was little, as far as he was concerned, to choose from between them; and even if one was slightly better or worse than another, it was no concern of his and there was nothing he could do about it.

So the peasant needed a great deal of education and indoctrination—and some tangible evidence that it would benefit his own interests—before he was willing to take up arms. The fact that the Communists were able to accomplish this while the Kuomintang was not, indicates a closeness to and an ability to appeal to the common people in terms which they understand. This is something akin, at least, to democracy.

(b) Furthermore, the people, if they were willing to fight, almost always—certainly in the early years of the war had two choices: They could fight with either Kuomintang or the Communists. It would have been more natural for them to have turned to the Kuomintang because it was the Government. Instead they turned to the Communists, who have come more and more to be regarded and treated by the Government as rebels. It would seem therefore that the peasants received better understanding and treatment from the Communists. This, again, is a prima facie indication of democracy. At least it can be said, on this basis, that the people must regard the Communists as more democratic than the Kuomintang.

(c) It might be argued that the Communists have the advantage of a "cause," that they use such direct appeals as distributing the land of the landlords to the peasants, that they spread a rabble-rousing communism, or that they have found an equivalent of the fervor which gave such impetus to the Taipings or the Boxers. But, in fact, this argument is never heard. Even the Kuomintang does not bother to advance it. If they did, it would be refuted by the evidence of every foreign observer who has traveled through the Communist guerrilla areas. The Communists are not even actively preaching communism—though it cannot be denied that they are, sometimes by not too subtle means, trying to create support for the Communist Party.

(d) It can also be claimed that this popular support is chiefly due to the Communist skill in propaganda. The Communists are masters of this art, and it does have a part, but only a relatively small one. The war has lasted more than 7 years, longer than mere propaganda without positive results could hope to hold the stolid and practical Chinese peasant. Furthermore, the guerrilla warfare into which the Communists have drawn their supporters is the type which is hardest of all military forms on the peasant because the whole area is continually a battleground.

(e) Another argument, little heard because it is so obviously untenable, is that the Communists have forced the people to support them and join their armies. But the Communist armies were small when the war began; they did not have the military power necessary to have forced the people. Their armies, relatively speaking, are still small. They are, for instance, much smaller than the Kuomintang uses to garrison areas of equivalent size far in the rear away from any enemy. It is obvious therefore that the Communist army does not need large forces to maintain its own rear—as it would if it carried out Kuomintang policies of conscription and taxation and was plagued by the same resultant problems of banditry and internal unrest. It is also true that these relatively small regular forces could not successfully fight off the Japanese and hold these areas unless they had the active assistance and participation of the people in large irregular auxiliary forces, which can only, by their nature, be voluntary. The Communists claim over 2,000,000 local volunteers, the Peoples Militia, who are an active force in resisting and harassing the enemy. This figure may be exaggerated—though the evidence we have so far been able to gather indicates that Communist statistics of this nature are not inflated. But an organization of this type cannot be created and made effective by the threat of military force. And the Kuomintang does not even claim to have such an organization.

3. The conclusion therefore seems justified that the peasants support, join, and fight with the Communist armies because they have been convinced that, the Communists are fighting for their interests, and because the Communists have created this conviction by producing some tangible benefits for the peasants.

These benefits must be improvement of the social, political or economic condition of the peasants. Whatever the exact nature of this improvement, it must be—in the broader sense of the term as the serving of the interests of the majority of the people—toward democracy.

8. I believe that this success of the Communist forces in winning the support of the people is particularly well shown in the history of the new Fourth Army (hereinafter referred to as N4A). This force has not received the publicity given to the development of the Eighth Route Army, which was visited by a number of foreign journalists and other observers early in the war. In many ways, however, its growth has been even more remarkable.

4. The N4A was not organized until 1938. It was formed out of remnants of the old Red Army who had been scattered among numerous isolated areas in South and Central China since the withdrawal of the main Communist forces from Kiangai at the end of 1934. (See my Report No. 19, August 31, 1944, par. 2). This was therefore an entirely new force with no background of unified organization: it could hardly compare with the Eighth Route Army, which at the outbreak of the war was already a well-organized army in being.

When organized the N4A had a strength of only 12,000 officers and men: This is small compared with the 80,000 of the Eighth Route Army in 1937. Weapons and equipment were insufficient and mostly old; many of them were dug up from the ground where they had remained buried during the years of Kuomintang suppression. The new arms promised them by the Central Government were never forthcoming; all they ever received was a small amount of ammunition. Likewise the recruits that had been promised by the Central Government to fill their ranks were never turned over to them.

This new army was immediately thrown into action and was assigned the lower Yangtze Valley, where it was to attack already important and heavily garrisoned Japanese areas. In these areas, or close to them, there were also Kuomintang troops. The N4A army thus had much less favorable opportunities for expansion than the Eighth Route Army, which had first occupied large almost empty areas behind the Japanese lines, from which the Central Government forces had withdrawn and which the Japanese had left very lightly guarded as they moved south.

Having this greater freedom, the Eighth Route Army was able, as early as 1938, to establish stable bases to support its operations. When the Kuomintang, in the years 1939-42, made an attempt to recover this territory, the physical difficulties of distance and interposing Japanese lines made it impossible for the Kuomintang to bring great strength against them. But the N4A, operating partly in Kuomintang territory much more easily accessible to the Central Government, was subjected to much stronger Kuomintang pressure and was forced to change its bases of operations several times. The result has been that most of the present N4A bases date from only 1940 or 1941. This is a serious handicap to the Communist method of growth by the mobilization of local support through a comprehensive political and economic program.

The N4A not only had to move; it also suffered heavy losses in conflicts with the Central Government troops. There have been sporadic small engagements and several of considerable size. In the largest of these, the "Incident" of January 1941, the N4A suffered about 7,000 casualties. Furthermore, since that time the N4A has been "Illegal" by official mandate of the Central Government. Recruits joining it, therefore, know that they will be regarded by the Kuomintang as rebels and that this official vengeance will extend to their families. The Eighth Route Army has also suffered under this opprobrium, but to a much less extent.

What was the actual development of the N4A under these apparently unfavorable conditions?

At the end of its first year (spring 1930) the original strength of 12,000 had grown to 85,000. Operations extended from Shanghai to Hangchow, from Nanking to Hsichow, and from Hsichow west along the Lanchai Railway to the vicinity of Kaitfeng. Equipment had been brought in by recruits and captured from the Japanese.

By the spring of 1942 strength had risen to 100,000 regulars. Operations in the area between the Yangtze and the Lanchai Railway had been extended to the Kiangsu coast; it had also moved forces into the Japanese-occupied areas around Hankow.

By the spring of 1944 the regular strength of the N4A had increased to 152,000 men, armed with 83,000 rifles, and supported by an organized Peoples Militia of 550,000. Operations had been extended into East Chokking and into South and West Hupeh. Stable base areas had been created with a total population, paying taxes only to Communist-controlled governments, of about 30,000,000. All of these bases had withstood large-scale Japanese attacks and some areas had not been penetrated by the Japanese for over 2 years.

In this development the N4A has increased its size by more than 12 times. In a slightly longer period the Eighth Route Army has increased sixfold.

(c) These results have been achieved by a force which started from almost nothing. It has grown as it went along, out of the people. It has been an orphan, without any powerful, well-established government with large resources behind it. It has had to supply itself entirely.

During much of its history it has shared areas with or been in close proximity to Kuomintang troops. Despite the advantages of supply, reinforcements and government support, those Kuomintang forces did not have any such increase. To the contrary, they grew steadily weaker and most of them have by now disintegrated, turned puppet, or withdrawn. They have never carried out an offensive against the Japanese; and they have shown repeatedly that they cannot successfully withstand Japanese attack.

(d) General Chen Yi, acting commander of the N4A (General Yeh Ting is still regarded as commander although he has been a prisoner of the Kuomintang since 1941) insists that the success and growth of the N4A is wholly due to its policy toward the people. The most important of these were the following:

(a) First it was necessary to win the people's confidence, in a military sense. Fortunately the original cadres were old and experienced guerrilla fighters. In their first engagements, the Japanese were not used to their tactics and were unprepared and overconfident because of their easy defeats of other Chinese troops. During the first year they had uniform success; after that they had newly trained and capable forces. The Communists always follow the policy of using their best troops in important engagements, holding their newer troops as reserve or to throw in after the enemy is retreating to give them experience.

(b) The first step after coming into an area is intensive propaganda to explain the war and secure popular support.

(c) This followed by the creation of mass organizations of the people. These include farmers, youth, women, militia, and so on. All of these are for the purpose of carrying out some function in resisting the enemy. But they are also encouraged to interest themselves in their own problems. For instance, the farmers are told that in the well-established guerrilla bases rents and interest have been reduced.

(d) Through and from these mass organizations, democratically elected governments are set up. At first these are on the village level. As the area becomes stabilized the system is extended until the halen governments, and finally the base governments are elected by the people. Nominations and elections are carried out in general village meetings.

(e) As soon as some sort of government control is established, rents and interest are reduced. This is done moderately. The minimum standard is 37½

percent for rent. But in the first stage rents are not usually reduced by more than one-quarter. This is to avoid driving the landlords away and into Japanese camp. In many areas into which the N4A has gone, the power of the landlords has been very great and they have been able to hang on to their control and even in some areas to dominate the local governments. In such areas the Communists move slowly by strengthening the organization of the people until they gain control by democratic methods.

(f) Taxes are reduced because of the moderate requirements of the N4A and the elimination of corruption through popular election of officials.

(g) Taxation is made moderately progressive. At present the poorest approximately 20 percent of the farmers pay no tax. The highest rate on the rich landlords usually does not exceed 35 percent.

(h) Banditry is vigorously attacked and the welfare of the people is improved by the maintenance of peace and order. In addition to direct attack, the other policies of the Communists are effective in removing this old burden of banditry.

(i) As important as any of these is the practical demonstration of the unity of the army and the people. The army takes as one of its major tasks the protection of the people (to the degree that this often determines its military operations). It takes positive measures to prevent enemy interference with the sowing and harvest. It actually assists when possible in farm work. When and where able its troops produce a part of their own needs. It avoids any sort of arbitrary demands on the people, pays for what it takes, and replaces breakage or damage. It helps the people cope with disasters such as breaks in dikes. In times of poor crops it reduces its own rations to the level of subsistence of the people. It continually harps on the idea that the army and people are "one family."

(j) There is never any forced conscription. Except for the encouragement of the formation, on a volunteer basis, of such organizations as the militia, it avoids in the early stages of its control of an area, any attempt at recruiting.

(k) Within the army it takes special measures to care for families of soldiers; emphasis is given to care of wounded; such practices as beating of soldiers are prohibited; and there is a democratic relationship—outside of purely military matters—between officers and men.

(l) Various other phases of the program include women's rights, intensive advancement of popular education, promotion of all types of cooperative societies, and so on.

7. General Chen, with whom I have had several long talks on these general subjects, can be excused if he paints an exaggeratedly pretty picture.

The fact remains that the Communists have been successful in winning the support of the people in the areas in which they operate, while the Kuomintang has not. General Chen laughingly says that the Communists should thank the Kuomintang for coming into the same areas, because they have provided the people with a basis for comparison.

We cannot yet say with certainty that the Communists claims of democratic policies are true. But that they are at least partially true is the only reasonable explanation of the popular appeal which the Communist armies have shown.

8. It is requested that copies of this report be transmitted to the American Ambassador at Chungking and Headquarters, USAF-CBI for the information of Mr. Davies.

JOHN S. SERVICE.

[Report No. 34]

UNITED STATES ARMY OBSERVER SECTION,
APO 879, September 28, 1944.

Subject: The orientation of the Chinese Communists toward the Soviet Union and the United States.

To: Commanding general, Fwd. Ech., USAF-CBI, APO 879.

1. There is attached a memorandum on present policies of the Chinese Communists as they affect and are indications of present Chinese Communist orientation toward the Soviet Union and the United States.

2. This memorandum may be summarized as follows:

Summary: Politically, any orientation which the Chinese Communists may once have had toward the Soviet Union seems to be a thing of the past. The Communists have worked to make their thinking and program realistically Chinese, and they are carrying out democratic policies which they expect the United States to approve and sympathetically support.

Economically, the Chinese Communists seek the rapid development and industrialization of China for the primary objective of raising the economic level of the people. They recognize that under present conditions in China this must be accomplished through capitalism with large-scale foreign assistance. They believe that the United States, rather than the Soviet Union, will be the only country able to give this economic assistance and realize that for reasons of efficiency, as well as to attract American investment, it will be wise to give this American participation great freedom. (End of summary.)

8. The conclusion, which is the continual statement of the Communist leaders themselves, is that American friendship and support is more important to China than Russia. The Communists also believe, of course, in the necessity of close and friendly relations of China with the Soviet Union, but they insist that this should involve no conflict in interests between the United States and the Soviet Union.

4. This apparent strong orientation of the Chinese Communists toward the United States may be somewhat contrary to general expectation—which may be too ready to emphasize the Communist name of the party. Apart from what may be called the practical considerations that the United States will be the strongest power in the Pacific area and America the country best able to give economic assistance to China, it is also based on the strong Communist conviction that China cannot remain divided. I believe that the Chinese Communists are at present sincere in seeking Chinese unity on the basis of American support. This does not preclude their turning back toward Soviet Russia if they are forced to in order to survive American-supported Kuomintang attack.

5. It is requested that copies of this report be transmitted to the American Ambassador at Chungking and Headquarters, USAF-CBI, for the information of Mr. Davies.

JOHN S. SERVICE.

POLICIES OF THE CHINESE COMMUNISTS AFFECTING THEIR ATTITUDES TOWARD THE SOVIET UNION AND THE UNITED STATES

A. POLITICAL

1. *The attempt to make Chinese Communist thinking more Chinese.*—There is apparent in the major statements of theory by Communist leaders during the past several years an effort to get away from slavish attempts to apply Russian communism to China. The emphasis is laid on realistic study of China itself.

The strongest intellectual movement within the Communist Party has been against the "three great faults" of subjectivism, sectarianism, and pedantic formalism. The most important of these, judging from the attention given to it, is subjectivism, which is interpreted to include the dogmatic application of foreign theories unsuited to existing conditions in China. The attitude set forth as correct is "objectivism"—the application of theory on the basis of exhaustive study of actual facts and true conditions. The general effect of this movement has been to take the communism out of Chinese Communist thinking, at least in regard to the immediate future of China.

Examples of such Communist statements are numerous. Perhaps one of the best is a lecture entitled, "How To Change the Way We Study," given by Mao Tse-tung to high party workers at Yenan in May 1941. This lecture is now included in a volume of selected papers which is required textbook for all Communist Party cadres. The following is a partial quotation:¹

"No one has begun in a really serious manner the study of the political, economic, military, and cultural history of China during the past century, the period of real significance. * * * Many of our comrades regard this ignorance or partial knowledge of our own history not as a shame, but on the contrary as something to be proud of. * * * Since they know nothing about their own country, they turn to foreign lands. * * * During recent decades many foreign returned students have made this mistake. They have merely been phonographs, forgetting that their duty is to make something useful to China out of the imported stuff they have learned. The Communist Party has not escaped this infection."

¹This translation has been made by Communist sources in Yenan. I have, however, checked it roughly by reading the Chinese original.

"We study the teachings of Marx and his followers. But the way that many of us learn those teachings is in direct opposition to their spirit. * * * Marx, Engels, Lenin, and Stalin teach us to study seriously the existing conditions, starting from the actual objective circumstances, not from our subjective wishes. But many of our comrades are acting directly contrary to this guiding principle.

* * * Many comrades learn the truths of Marx-Leninism merely for the sake of Marx-Leninism. * * * Although they can quote at length from Marx, Engels, Lenin, and Stalin, yet they cannot apply their learnings to the concrete study of Chinese history and the present conditions in China: They cannot analyze and solve problems that arise from the Chinese revolution.

"These people, who are unscientific in attitude, who only know how to recite dogmas, who have degrees but no real knowledge * * * are a practical joke on real Marx-Leninism."

2. *The application of Marxism to China.*—I attempted to in my report No. 5 of August 8, 1944, to describe the Chinese Communist application of Marxist ideology to China. The gist was that the Chinese Communist Party in its present program has abandoned everything except the doctrine of historical materialism and the belief in the eventual socialistic society.

That exposition was based on very incomplete study and fragmentary statements by various Communist leaders. It was confirmed, however, in a striking way by Po Ku (generally referred to by the Kuomintang by his original name, Ch'ing Pao-hsien) in a conversation on September 8, 1944. Po Ku's comments are of interest, not only because of his position as a member of the Political Bureau and former chairman of the Communist Party's Central Committee, but also because he is a Russian-returned and usually described in Kuomintang "analyses" of the Communists as the leader of a "pro-Russian clique." My notes or Po Ku's remarks are as follows:

"We regard Marxism not as a dogma but as a guide. We accept its historical materialism and its ideological method. It furnishes us with the conclusions and the objectives toward which we strive. This objective is the classless society built on socialism—in other words, the good of the individual and the interests of all the people.

"But to try to transplant to China all of Marx's description of the society in which he found himself (the industrial revolution of Europe in the nineteenth century) and the steps (class struggle and violent revolution) which he saw would be necessary for the people to escape from those conditions, would not only be ridiculous, it would also be a violation of our basic principles of realistic objectivism and the avoidance of doctrinaire dogmatism.

"China at present is not even capitalistic. Its economy is still that of semi-feudalism. We cannot advance at one jump to socialism. In fact, because we are at least 200 years behind most of the rest of the world, we probably cannot hope to reach socialism until after most of the rest of the world has reached that state.

"First we must rid ourselves of this semifuedalism. Then we must raise our economic level by a long stage of democracy and free enterprise.

"What we Communists hope to do is to keep China moving smoothly and steadily toward this goal. By orderly, gradual, and progressive development we will avoid the conditions which forced Marx to draw his conclusions of the necessity (in his society) for class struggle; we will prevent the need for a violent revolution by a peaceful planned revolution.

"It is impossible to predict how long this process will take. But we can be sure that it will be more than 80 or 40 years, and probably more than 100 years."

3. *The Communist political program is democracy.*—Advancing from the field of theory to that of practice, the Communist political program is simple democracy. This is much more American than Soviet in form and spirit.

Communists now are apt to argue that they were not really communistic even in the days of their power in Kiangsi. I am not competent to discuss this. But even though they may have distributed the land to the peasants as private property and have left the landlord enough for his own needs, still the fact remains that their governments were organized as Soviets during that period.

Starting in August 1935 the Communists based their policy on a democratic united front. Since that time—now over 9 years—they have adopted the San Min Chu I (as set forth by Sun Yat-sen in the manifesto of the first Kuomintang congress) have abandoned the Soviet form of government, have sought the cooperation of all groups based on the democratic rights of the whole people.

This Communist program is well known and there is hence no need for detailed description here. Basic documents are the above-mentioned manifesto of

the first Kuomintang congress and Mao Tse-tung's book, New Democracy (a translation of which was submitted to the headquarters and Embassy under cover of one of my reports dated early in 1944).

First we must rid ourselves of this semifuedalism. Then we must raise our economic level by a long stage of democracy and free enterprise.

"What we Communists hope to do is to keep the country moving smoothly toward this goal. By orderly, gradual, and progressive development we will avoid the conditions which forced Marx to draw his conclusions of the necessity (in his society) for class struggle; we will prevent a revolution in the violent sense of the term.

"It is impossible to predict how long this process will take. But we can be sure that it will be more than 30 or 40 years, probably more nearly 100."

3. *The Communist political program is democracy.*—Changing from theory to practice, the Communist political program is simple democracy. This is much more American than Russian in form and spirit.

Communists now are prone to deny that they were communistic even in the early days of their rule in Kiangsi. I am not competent to discuss this. But the fact was their governments were organized as Sovlets during that period.

Starting in August 1935 the Communists reversed their basic policy on the basis of the united front line. Since that time—for over 9 years—they have adopted the San Min Chu I as set forth by Sun Yat-sen in the manifesto of the first Kuomintang congress, and Mao Tse-tung's book, New Democracy (a translation of which was submitted to the headquarters and the Embassy early in 1944).

Generally speaking, the Communists are faithfully carrying out this democratic program. There is no question but that in the areas under their influence they have given democratic rights to the people, and that the party is supported by the majority of the population.

Will stick to first manifesto, even if KMT falls.

The question of whether the Communists are willing to share their power with other parties in a democratic way is a question more difficult to answer. They are working in backward rural districts with a population without previous political experience. This has required them to assume a role in organization and leadership which gives them power and influence greater than normal for a political party as the Americans think it. Furthermore the only other real political party, the Kuomintang, has generally refused cooperation. Through their institution of such policies as the three-three system (not more than one-third of elective officials to be Communist), through their close cooperation with such liberal groups as the Intellectuals, and through their inclusions of such groups as the landlords and merchant classes in their governments and efforts to give them reasonable treatment, the Communists seem to have demonstrated this broad-minded, democratic spirit.

Of course, it can be argued that the Communists are advancing their own interests and moving toward a goal of control of the country by the use of these methods. This is true. But it must be acknowledged that the Communists have not tried to eliminate such groups as the landlords and native capitalists, and that they realize that their own advancement and the interest of the country are best served by the cooperation of all groups based on reasonable protection of the interests of all those groups.

4. *There is little sign of Soviet Russia and little evidence of strong ties to Russia.*—Not only in theory and policy, also in the atmosphere and daily scene in Yenan there is little direct evidence of Soviet influence. Except in speeches within the party there is little reference to Communism or to Marx and the other patriarchs of communism. In party institutions there are pictures of Marx and occasionally of Engles and Lenin; but these are rare. Stalin's picture is common but usually placed alongside those of Mao Tse-tung, Chu Teh, Sun Yat-sen, Chiang Kai-shek, Roosevelt, and Churchill.

The Communist newspaper gives considerable prominence to Russian war news but not more than it does to news of American victories and much less than it does to the operations of the Communist armies.

Soviet influence is obvious in the organization of the Communist Party; but the same can be said of the Kuomintang.

Soviet examples also seem apparent in the measures used to promote the production campaign such as the selection and honoring of labor heroes, the assigning of planned quotas, and the stress on competition. But these measures seem to be effective and are hardly in themselves characteristically Soviet.

Since we have been in Yenan one foreign play has been produced (in translation). This was Russian. But its choice was particularly appropriate because it was a war play, involving guerrillas and old Communist leaders whose main claim to position was that they had fought through the civil war and now had to be removed because they were out-of-date (Budenny?).

The Soviet symbols of the hammer and sickle are almost never seen. In fact the casual observer sees little to remind him of Russia or to make him think that the Chinese Communists are particularly attached to Soviet Russia or, as suggested by the extreme faction of the Kuomintang, in any way a front for the Russian Communists.

It cannot be said, on the other hand, that the Chinese Communists are trying to ape American models (except in the surprising ways of social dancing and a mild interest in bridge and poker). In fact they are imitating nobody. Their emphasis is on being Chinese. And in this they seek to come down to the level of the common people. There is no hocus-pocus such as the Kuomintang insists on of weekly Sun Yat-sen Memorial Meetings, no formal posting of Sun Yat-sen's (or anyone else's) picture to be bowed to before every meeting, no ceremonial of repeating Sun Yat-sen's will, no standing every time someone's name is mentioned. The Russian-inspired romanization of the Chinese language has been dropped. Except for limited audiences of the party cadre, the western drama has been abandoned for a popularization and development of the native northern Chinese folk plays and dances. Music has been made native. In every sphere the Communists have made the most strenuous efforts to go native and to approach the mass of the people in terms that they will understand.

B. ECONOMIC

Following views chiefly Po Ku, supplemented by talks with Mao and Liu Shao-ch'i:

1. The Communists agree that China must industrialize.—The Communists are just as convinced as the Kuomintang (and everyone else) that China must industrialize.

Where the Communists differ from the Kuomintang is in their motivation and emphasis. One gains the impression from China's Destiny and much of the present thinking in Chungking that the primary objective of China's industrialization is defense—in other words, national power. The Communists place this second. First in their minds (at least in their talk) is welfare. Unless the living standards of the people are raised, there can be no real foundation for either economic or political progress. The first great expansion, the Communists claim, should therefore, be in light, consumer industry and communications. More gradually and slowly there can be built up a heavy industry (or as China's Destiny calls it, a national defense) base.

The Communists also place greater emphasis on the idea that China will probably always be predominantly an agricultural country, that China's agricultural resources and problems must therefore not be neglected, that China does not have the material resources to be a first-rank heavy-industry country.

2. China can industrialize at present only on a capitalistic basis.—China's basic condition at present is still semifeudalism. To get rid of this is the first important step. From this it is impossible to step at once to socialism because there is neither the political nor economic foundation. The Chinese people are not yet ready for socialism and will not be for a long time to come. To talk of socialism now is impractical. The next stage in China's advance must be capitalism. In this capitalism must be given the freest possible opportunity to develop the country economically. China's weakness now is the under-development of capitalism.

3. Foreign assistance will be necessary to bring about this industrialization.—China not only lacks enough native capital to finance large scale industrialization, it also lacks an adequate industry to serve as a starting point of for this industrialization. It lacks experience and technical personnel. The end of the war will see these conditions accentuated. China will be suffering from ruinous inflation, from the disorganization and destruction brought by the war. It is probable that the Japanese will complete the destruction of the rudimentary Chinese industry before they withdraw or are defeated.

These conditions make it impossible for China to follow Russia's example of building herself. Backward as Russia was after the Revolution, she had far more of a modern industrial base than China will have. Low as were the living standards of the Russian people, they were not as low as the irreducible mini-

mum of the great majority of the Chinese people, and it was therefore possible for the Soviets to depress those living standards even further to raise the capital for their industrialization. But even Russia accomplished what she did only with terrific sacrifices. She did not do it on her own resources because she wanted to; but because she had to. China, even if she were able to accomplish such a Herculean feat, will be under no such compulsion to do so. The attempt would be foolish.

4. Soviet Russia will be unable to give this needed large-scale economic assistance to China.—After the war, Russia will have a great part of her country to rebuild. Her own reconstruction and the continuation of her own internal development which was interrupted by the war will continue for a long time. Published reports indicate that the reopening of the mines in the Donbas Basin may take as long as 2 or 3 years of work. The report of Mr. Johnson, the president of the American Chamber of Commerce, of his talks in Moscow indicate that Russia herself will seek large scale assistance from the United States after the war in imports of materials and machinery. These will have to be financed by loans.

It is therefore obvious that Russia will have neither surplus capital nor technical persons available to assist us in the industrialization of China.

5. The United States is the only country which will be able to help China.—Even if Russia were able (which she will not be) to assist China, the United States will be the logical country to play the greatest share. American resources will be tremendous. They have been geared to huge exports during the war. America will have industrial plants which will not be needed and can be exported whole. She will have capital to invest and the necessary technical personnel. In addition, her sea communications with China are better than those from European Russia. America faces on the Pacific. Siberia is still under development.

American ties with China are strong. America has all of China's good will. For reasons of China's internal unity it will be better for America to play the major role in this economic development.

The other European countries will be engaged in reconstruction of their own countries. They will not have capital to invest. The same will be true to some extent of Great Britain, whose large-scale participation in China will, in any case, be less welcome than American.

6. Great freedom must be given to foreign capital in this economic development of China.—Since our goal is the most rapid possible development of Chinese resources, communications, and industry, we must make investment attractive to foreign capital. We cannot reasonably expect China to reap all the profit.

The logic of our moderate treatment of landlords and merchants and limited reduction of rent and interest in order to obtain the support of these groups in a united front which can strengthen our bases economically will hold good. If we carried out drastic reduction of rents, or confiscation of land and restriction of private business, we would cut off our own noses and weaken our bases by driving out these necessary capitalistic groups.

We must therefore give foreign capital very wide freedom of opportunity.

Experience has shown us that Government enterprises in our own areas cannot yet be operated efficiently. Our Army factories are not as efficient as privately run factories.

We believe that Chungking's efforts to create a bureaucratic industry (for instance, the enterprises of the National Resources Commission and the monopolies of H. H. Kung) are proving the same thing. They may enrich Kung and a few others. But they are rotten with favoritism, graft, and inefficiency. They are not the best means to bring about this economic development.

Senator TYDINGS. I would like to make a further suggestion, and that is that we omit temporarily the page and the circumstance that we have recently been discussing and ask Mr. Morris to go ahead with other matters until we ascertain whether we can get the whole transcript of this particular bit of surveillance for the information of the Senate committee, the witness, and the interrogator.

Mr. MORRIS. You would like me to ask questions?

Senator TYDINGS. On other things.

Senator GREEN. Before you proceed, I would like to draw attention to the fact that when other witnesses have had their attention drawn to derogatory names or so-called, in investigations and lists of spon-

sors and so forth, the witness was authorized to draw attention to others which were quite the contrary.

Now, in this case attention has been definitely drawn to two names on the theory that they were derogatory, but I felt perhaps the witness might like to draw attention to some eminent and respectable names he was glad to have on his address list.

Senator TYDINGS. That is a good point, and if counsel at any time feel in connection with any of these matters they would like to stress the point brought out by Senator Green, of course, we will be delighted to give you that opportunity.

Senator LONG. I thought we had already agreed to provide counsel with that opportunity. I think you are quite right.

Mr. RHETTS. Of course, we have not got the list before us. As soon as it is made available, I would like to have the advantage.

Senator TYDINGS. You may either put it in by statement form, because it is just an extension of things and there is no real controversy about it—

Mr. RHETTS. One further question in view of the discussion of the documents a moment ago—that is, Mr. Service's reports. It was suggested that it was desirable to put the entire report in.

Of course, one difficulty there is this: Some four or five reports were referred to, one of them only purported to be page 7 of a report which was crossed out, evidently some type of a first draft. Our suggestion to the committee throughout here has been that any analysis of these reports, any attempt to discover what internal evidence they bear of the political orientation of their author must be done on the basis of all of his reporting that we can locate.

Now, as we have suggested, some 125 of his reports have been located and have been the subject of detailed study by as objective an expert as the State Department loyalty security board could find.

Senator TYDINGS. And Mr. Kennan read some, did he not?

Mr. RHETTS. Mr. Kennan is the man to whom I refer. There again we would urge that this committee somehow obtain the full range of these reports if it cares to make an analysis of the internal evidence they bear.

Senator TYDINGS. Did not Mr. Kennan, after making a survey of this, for whatever it is worth, give his appraisal of their combined worth and value, et cetera, and did not Mr. Service read all or part of that in his testimony yesterday?

Mr. RHETTS. Yes; but Mr. Kennan testified at great length.

Senator TYDINGS. Allow me to interrupt you. My suggestion is we get from Mr. Kennan his appraisal of these 125 reports, because I believe, without binding the committee, they would accept with a good bit of conviction Mr. Kennan's appraisal of those, and it is doubtful if the committee will find time to read 125 of these reports of varying length.

Mr. MORRIS. May I suggest in that connection, inasmuch as Mr. Kennan is associated with Mr. Service, and I think—

Mr. RHETTS. I question that, sir. He is not associated with him.

Mr. MORRIS. At least, he is in the State Department, and I believe one of his assistants is Mr. John Davies, who is a good friend of Mr. Service. I think in the interest of impartiality we should have some outside source make an evaluation of Mr. Service's writings.

Senator TYDINGS. I have no objection.

Mr. RUBERTS. So far as the present situation, Mr. Kennan's testimony under oath is a part of the transcript of Mr. Service's loyalty proceeding, which we have indicated to you we propose to make available to the committee.

Senator LONG. Let me ask you this. Did the Loyalty Board go into this FBI material we were discussing earlier?

Mr. RUBERTS. We have been questioned in the same vague terms before the Loyalty Security Board that we have been questioned here, first yesterday morning by Mr. Morgan, who could not disclose precisely what he was referring to, and later by Mr. Morris. We were also questioned before the Loyalty Security Board on that.

Senator LONG. So evidently they are aware of this material, too.

Mr. RUBERTS. They are evidently aware of it, but again, when we requested them to give us some more useful information on the basis of which we could give intelligent testimony, they were unable to supply us with anything.

Senator LONG. Would the loyalty board know more or less than we do about this, do you suppose?

Senator TYDINGS. They would know more, because the full field investigation of the FBI would probably be in the file.

Senator LONG. On the other hand, the loyalty board has no power of subpoena and we have.

Senator TYDINGS. Our power of subpoena is pretty worthless because every time we have used it it has not brought any fruit. But I am pretty sure I can say that the loyalty board has all of the FBI information touching on this case that it asked for. It is in the executive department, and from reading the files and from the letters in my office in the 81 cases that we have already examined, I have it in writing that the full FBI information touching on loyalty is in each of the files.

Now I would like to ask Mr. Morris if he would, for the time being, let that part of the testimony remain in suspended animation and take up other matters that are pertinent until we find out whether the turn-down of the FBI on this matter is permanent or whether we can get the whole picture.

I would like to say for the record that I asked for this material, I think, drawing on my memory, a week ago, to give me the whole thing so we would have it. I have not to this date gotten it, and I have received word that I probably will not, but I am still trying to get it.

TESTIMONY OF JOHN S. SERVICE—Resumed

Mr. MORRIS. Mr. Service, during the questioning yesterday we had agreed at several points that you had used the expression throughout your reports that the Chinese Communists have a democratic character. You said, however, that when you were using the word "democratic," you were not using it in the sense employed by the reasonable United States citizen. Will you explain to us the sense in which you used the word "democratic" and why you as a Foreign Service officer of the United States should employ it in a fashion different from what an ordinary United States citizen would use it.

Mr. SERVICE. I think you would find, in the first place, that the hundred fifty million American citizens among themselves have a

great many different definitions of "democracy." It is a very difficult job to define "democracy" in a few words that everyone will agree with.

Mr. Morris. In this connection, Mr. Service, we had developed some testimony to the effect that at the time of your arrest by the Federal agencies there were in your possession documents that indicated that the Chinese Communists were firm adherents of the doctrine of Marx, Lenin, and Stalinism; that one of these documents related to the fact that the history of the Communist Party of the Soviet Union was a guide and an infallible teacher of the underlying principles of the Chinese Communist Party.

I think at this juncture it would be well if I introduced into the records the volume, the History of the Communist Party of the Soviet Union, and just simply for the record take out one extract to show that this is the infallible guide of Communist International principles. It is a guidebook of the Communist Party, it is referred to as such by Mao Tse-tung at a time when this particular speech of Mao Tse-tung's was in your possession.

Senator GREEN. Is that a question to the witness?

Mr. Morris. This is something I introduced yesterday. I am trying to resolve what appears to be a contradiction, how Mr. Service can speak continuously of the Chinese Communists as democrats and at the same time be in possession of evidence that they are members of the International Communist movement. That is the point.

I think in all fairness, since I made reference to the history of the Communist Party of the Soviet Union, I should introduce into the record in its entirety and just to give the committee an impression of the nature of the volume, I would like to read—

Senator GREEN. Do not the members of the Communist Party of the Soviet Union claim that they are democrats?

Mr. Morris. They claim they are, but Mr. Service is claiming they are not, giving the opinion of the Chinese Communists rather than his own.

Senator GREEN. It is a denomination rather than a description, is it not?

Mr. Morris. It is very unusual that a United States Foreign Service official should be referring to the Communists as democrats. I grant you when he does that he uses the same language the Communists use when talking about the Chinese Communists. But I say it brings out an irreconcilable position.

Senator GREEN. He uses "Communist" in the same terms as they use it.

Mr. Morris. I do not think so. He says the Chinese Communists are not really Communists.

Senator TYRINOS. I think we are getting pretty far afield. We are here to examine into disloyalty of the employees in the State Department, and this witness says he was detailed to go as part of an Army detail to Yenan to watch and report what went on with the Communists. Now we have got his reports, and they speak for themselves, and it seems to me that we are going pretty far afield if we are going to go into Webster's *Unabridged Dictionary* for the meaning of words. Let the reports speak for themselves. If anybody thinks that is disloyal, he can say so.

Senator Lodge. I do not know whether Mr. Service objects to answering this question or not, but it seems to me that the question Mr. Morris asked is a type of question that is asked by a great many citizens of this country. If this investigation is to command public confidence, we cannot just confine ourselves to asking questions that may seem interesting to us personally. We have to get the questions asked that are of interest to the public. I think this question is of interest to the public. I think it is a proper question to ask, and I should like to have it answered.

Senator TYDINGS. I thought we asked it yesterday, and he answered it three or four times. But go ahead.

Mr. Service. I have no objection to answering it. In the first place, Mr. Morris, I have never said they were democrats. I have said that their policies were in some ways democratic. They were following a united-front program, very cleverly designed to build up popular support, and for that reason they did, especially on the very low levels, as I explained yesterday, of village government, introduce some democratic methods.

I have never said they were not Communists. You, I am afraid, I am sorry to say, are looking at only a small selection of my reports, which number, as we mentioned yesterday, over 125. You are looking at the ones which happen to be found in Mr. Jasse's possession, which I did not give Mr. Jasse, but which presumably he obtained because he was interested in them.

I think if you read all my reports, you would find I consistently referred to them as Communist. I wrote in March 1945 describing their ties with Moscow. I never called them so-called Communists. I never called them merely agrarian reformers.

Now, in a report which I wrote in September 1944, I said the following:

The conclusion, therefore, seems justified that the peasants support, join, and fight with the Communist armies because they have been convinced that Communists are fighting for their interests and because the Communists have created this conviction by producing some tangible benefits for the peasants. These benefits must be improvement of the social, political, or economic conditions of the peasants. Whatever the exact nature of this improvement, it must be in the broader sense of the term as the serving of the interests of the majority of the people toward democracy.

I went on to say:

We cannot yet say with certainty that the Communist claims of democratic policies are true, but that they are at least partially true is the only reasonable explanation of the popular appeal which the Communist armies have shown.

Now as I explained yesterday I was not writing reports for an uninformed American public or for publication. I was writing reports for specialists dealing with Chinese affairs and familiar with the Chinese background. The fact that they did hold any form of village elections is a measure of democracy which China up to that time had not known.

Mr. MORRIS. In connection with your statement, Mr. Service, that you never called them democrats, this very top report I have here, which is document No. or report No. 22, which was referred to yesterday, in your conclusion, at the beginning you say:

This widespread popular support must under the circumstances in which it has occurred be considered a practical indication that the policies and methods of Chinese Communists have a democratic character.

Mr. Service. That is exactly my point. The policies they were following to win themselves support had some democratic character. I did not say the Communists are democrats.

Mr. Morris. You say their policies and methods are democratic.

Mr. Service. In some respects.

Mr. Morris. You did not qualify it in this respect.

Mr. Service. You miss my point. I am not saying Communists are democrats. I am saying the policies they were following in China at that time on a united-front basis in an effort to win themselves popular support had some democratic character in order to win themselves support. But it is very far from saying the Communists are democrats.

Mr. Morris. You say policies and methods of a democratic character.

Mr. Service. I am sorry, sir, we don't have a meeting of minds on that. I think the only answer is to read all of my reports and read the careful analysis that has been made of them, the one already made by Mr. Kennan, or by some other expert whom the committee might wish to call.

Mr. Morris. And then again in connection with something you have just said—I will not bring another one of these up:

Politically, any orientation which the Chinese Communists may once have had toward the Soviet Union seems to be a thing of the past.

Will you comment on that, Mr. Service?

Mr. Service. We commented on it yesterday, sir, and the comment is to read the full text of the report.

Mr. Morgan. Is it your ruling, Mr. Chairman, that this entire document be spread on the record?

Senator TYDINGS. I think this particular document should be spread on the record. How long is it? How many pages?

Mr. Morris. There are two of them.

Senator TYDINGS. Two of them, then. I think it is unfair, even in that sense, to take 2 out of 125 as typical, but nevertheless we will put them in with that reservation.

Mr. Service. I believe in that same report, if I could examine it—

Senator TYDINGS. You may examine it. Put in anything you want by way of answer to the question of Mr. Morris. I hope this time you fellows will either agree or agree to disagree agreeably.

Mr. Service. I think if you read further in this same report, I indicate that this is their policy of the moment in their hopes of maintaining an independent position and of having American aid and friendship after the war, but I say:

This does not preclude their turning back toward Soviet Russia if they are forced to in order to survive American-supported Kuomintang attack.

I always recognized the fact they could be pushed back into the arms of the Soviet Union, which at that time I was convinced they sought to avoid having to be forced into.

Mr. Morris. May I make the suggestion, Mr. Chairman, that we appoint somebody or designate somebody agreeable to both Mr. Service and the committee who would be in a position to analyze the writings and make a decision. I think it will serve no purpose if Mr. Service and I engage in open discussion of certain selected reports, and

it will be difficult for me as well as for him to carry on a discussion of that nature.

Senator TYNDOR. My thought, Mr. Morris, is that these 125 reports ought to be made available as an exhibit for the committee, and the committee ought to make up its own mind as to whether it wants to read them in whole or in part and not get the opinion of somebody on the outside. That is my point.

Senator LOROE. Mr. Service's writings are very pertinent, but one of the many things this committee has not got time to do is read all of Mr. Service's or Mr. Lattimore's writings or all of anybody's writings, and this merely serves to underline the point I have tried to make before, that a congressional committee is not the way to deal with this problem. We should have a commission of trained experts created by act of Congress to concentrate on this type of work. It shows a congressional committee is a very poor tool to do this kind of job.

Senator TYNDOR. All right, Mr. Morris.

Mr. MORRIS. Mr. Service, there has been public testimony before this committee, and the witness was Mr. Budenz, to the effect that, and I will quote it. I am quoting from page 519 of the public hearing of April 20, 1950, about five lines from the bottom. Rather, it is six lines from the bottom. It reads:

Mr. Service was really in China and Mr. Service was referred to in the Communist discussions as Mr. Lattimore's pupil, but the thing is, I had no information with regard to Mr. Service's political affiliations.

Now, will you tell the committee, Mr. Service, of your associations with Mr. Lattimore from the time you first met him?

Senator TYNDOR. I do not want to interrupt your answer, but before we get separated, I wish you and your counsel would hold yourselves available for an executive meeting of this committee when we finish the open meeting, at 10:30 on Monday morning in room G-23, at which time I hope to have an answer from the Federal Bureau of Investigation and the Department of Justice about this testimony.

Mr. SERVICE. Mr. Budenz is entirely wrong in saying that I was a pupil of Mr. Lattimore's. I met Mr. Lattimore, as I said yesterday, for the first time probably in late 1935 or early 1936 in Peiping, where we were both residing. I was a language officer, very junior member of the staff of the American Embassy. He was residing there for research and writing. My acquaintance with him in Peiping was extremely slight. It was a social one.

I imagine I met him three or four times at large functions. I heard, I think, one lecture which he gave connected with the history of central Asia.

The next time I met Mr. Lattimore was in the summer of 1941, when he was in Chungking as the adviser of Generalissimo Chiang Kai-shek. He lived on the other side of the Yangtze River, on the city side. The Embassy was on the south bank.

He had very little contact with the Embassy, and I suppose during that period in Chungking I saw him briefly two or three times. We shared some interest in what you might call central Asia generally. I had grown up in the extreme far west of China near the Tibetan borderland. My father had traveled in Tibetan country and had col-

lected probably the best collection of Tibetan articles which have been exhibited in several museums in the United States.

I had also traveled in northwest China and Inner Mongolia, and the only conversations that I had with Mr. Lattimore during that period were on problems of central Asia and the culture of the nomads and Mongols--my observations and his observations.

The next time I saw Mr. Lattimore was very briefly. I think, in the winter of 1942 when he was Director of Pacific Operations for OWI, with headquarters at San Francisco. I called on friends in the office, and while I was there I stopped by his office and said, "How do you do" and had a brief conversation with him.

I saw him again, I think--well, I know I saw him the next time in 1944. He was, I think, present at the meeting I had with the IPR in November 1944, and I spent one evening at his house.

Now, the important thing is that I did not see him or have any contact with him or see, as far as I know, any of his writings, from 1942 until the end of 1944. But that was exactly the important period of my reporting on China. It was, you might say, the formative period of my views, my views on policy. It was a period of my contact and reporting on the Chinese Communists.

So that whatever views I had I had arrived at independently and were completely formed before I ever saw Mr. Lattimore that one evening toward the end of 1944.

There just is not any justification or basis for the statement that I am a student of Owen Lattimore.

Mr. MORRIS. Will you tell this committee of your visit to the Amerasia office? I know you went into it yesterday, but I want to ask you one more question about it.

Mr. SERVICE. Well, I don't remember a great deal about it, sir. It was a rather brief visit. I don't think I even sat down.

I came in, he showed me around, I looked in the office, I looked in the library workroom--the tables, bookcases, some file cabinets. He introduced me to a woman there named Ralf Sues, who had written a book called Sharks' Fins and Millet. He said they made it open to anybody interested in or writing of the Far East and they could use their library. We went to his office; he showed me the office. I had a very brief discussion with him.

Mr. MORRIS. Did you notice the photographic room they maintained?

Mr. SERVICE. No, sir. As I mentioned yesterday, I did not see any photographic room or printing equipment either.

Mr. MORRIS. Yet in your statement you say they showed you through the whole office.

Mr. SERVICE. They showed me through the whole office. They didn't tell me whether they showed me the whole office or not.

Mr. MORRIS. During the time of your reporting from China and during the time of your visit to the Amerasia office did you conclude on the basis of your study of the Chinese political situation that the magazine Amerasia was a Communist publication?

Mr. SERVICE. I was not seeing Amerasia during the time I was in China.

Mr. MORRIS. You did not receive copies of Amerasia?

Mr. SERVICE. No, sir.

Mr. MORRIS. While you were in China at all?

Mr. SERVICE. No; I don't recall ever seeing a copy of it. As I mentioned, very little material was forwarded to us in China. We could not receive magazines because of the limitations of the mail over the Hump, and the only magazines we saw were a few airmail editions of magazines like Time and Newsweek. I had no familiarity, recent familiarity, with Amerasia during the period.

Mr. MORRIS. What was your association with Sol Adler in China, Mr. Service?

Mr. SERVICE. Sol Adler was the Treasury attaché, and he was the American member, I believe, of the Chinese Stabilization Board.

After I was attached to the Army, I lived for a while in Army billets, officers' quarters. They were very cramped. I had to share a room with another officer. We could entertain—

Mr. MORRIS. Who was that other officer?

Mr. SERVICE. It varied from time to time. There was a great deal of coming and going. One was Dr. Melvin Cussberg, now dean of the St. Louis School of Medicine.

Mr. MORRIS. Sol Adler was not one of those people?

Mr. SERVICE. No; he was not attached to the Army and never lived in Army billets.

I could not entertain Chinese in the Army mess. My whole work required me to spend most of my time with Chinese.

I suppose that during 1 month I had 50 meals, at least, with Chinese friends, Chinese contacts, sources of information. I spent most of my days with Chinese. I had to have a place where I could bring friends, people of that sort, to talk to in the evening.

Mr. Adler had an apartment, a fairly large apartment, in the city of Chungking. He had an extra bedroom. So he offered me that room, and I think for perhaps a year I shared that apartment with Mr. Adler.

Mr. MORRIS. Did you during that period of time realize that Mr. Adler was a Communist?

Mr. SERVICE. Certainly not.

Mr. MORRIS. Have you read the testimony that appeared before the congressional committee, testimony by Miss Elizabeth Bentley, to the effect that Sol Adler was a full-fledged member of her espionage ring?

Mr. SERVICE. I have not, but I have heard second hand, I admit, that Miss Bentley appeared before the Loyalty Board, and after hearing her testimony, Mr. Adler was cleared. I am told that was the only Loyalty Board appearance Miss Bentley was willing to make and that after that experience she did not appear before any more.

Mr. MORRIS. When is the last time you saw Sol Adler?

Mr. SERVICE. I saw him socially here in Washington some time before I left to go to my post in India. It might have been in December 1949 or January 1950. Our friendship since China has been a casual and very sporadic one. I have not seen him frequently at all. I can't even remember the exact occasion on which I saw him. I think it was a dinner party or supper where several other people were present.

Mr. MORRIS. When did you first join the Institute of Pacific Relations, Mr. Service?

Mr. SERVICE. I am not sure of the answer to that. During the year 1937-1938 or 1937-when I was studying Chinese and preparing myself to be a specialist in Chinese affairs, I was interested, as I men-

tioned yesterday, in reading, keeping up to date as far as possible with everything that was written about the Far East. And I think that during that period I became a subscriber to the Institute of Pacific Relations.

There are various categories of membership, and my recollection is that my membership was of the lowest and cheapest class, the category which simply entitled me to receive some of their magazines, particularly quarterly Pacific Affairs and biweekly Far Eastern Survey. I discontinued that membership, as I did all my magazine subscriptions, when I went to Chungking because it was simply impossible because of the wartime difficulties for us to receive any magazines there. I resumed my membership in the Institute of Pacific Relations 2 years ago or 3 years ago—I am not sure. By membership, I mean subscribing membership.

Mr. MORRIS. In your testimony here this morning you made reference to a meeting held at the Institute of Pacific Relations. Can you tell us what the occasion of that meeting was?

Mr. SERVICE. During the war the Institute of Pacific Relations had an office in Washington, I think it was maintained only during the war and maintained then primarily because so many of the Institute of Pacific Relations members were here in various research or other positions with Government agencies.

It was their custom to have periodically, whenever an interesting speaker might be available, I think, what they called sort of a sherry party, where members, particularly members of the council of the Institute of Pacific Relations, were welcome to come and where they invited some speaker who gave remarks off the record and later answered questions.

Quite a number of Foreign Service officers were guests at those meetings and also foreign diplomats. Madam Pandit, the Australian Minister, quite a number of other people had been speakers at those off-the-record talks with Institute of Pacific Relations staff members and members.

The invitation came to me second-hand. Actually it went to my superior officer, who gave his approval and provisionally accepted the invitation for me. Later on he told me he had accepted the invitation and that I should go over and meet with them.

I think the chairman of that meeting was Dr. William Johnstone, who I think used to be dean of George Washington University.

Mr. MORRIS. Have you answered? Have you finished?

Mr. SERVICE. Yes. The date of that meeting must have been about the middle of November 1944.

Mr. MORRIS. Do you know Mr. Duncan Lee—L-e-e?

Mr. SERVICE. I know him very, very slightly. I think I have met him two or three times.

Mr. MORRIS. I have part of the records, part of your address book; in addition to your address book, there was also a schedule of yours showing your appointments between the 27th of May and the 6th of June 1945.

I noticed you have listed—I do not see why—I should give you a copy of this whole thing anyhow for reference purposes.

Mr. SERVICE. Thank you.

Mr. MORRIS. You will notice on Wednesday, June 6, you had listed at least an appointment at 12:30 with Duncan Lee.

Will you tell the committee your associations with Duncan Lee and in particular that occasion?

Mr. SERVICE. Duncan Lee had made a trip to China for the OSS. He had been in that airplane which was forced down in the jungle over the Hump, spent something like 21 days walking out.

I had met him briefly at that time. I believe I had met him at least once here in Washington at one social occasion, mostly with other OSS people. The occasion of this meeting, as I remember it, was to feel me out to ask me whether or not I would accept employment with the OSS.

I had been asked by the OSS several times—I think General Donovan himself can confirm this—to accept employment with them, presumably because of my knowledge and contacts with North China and the Chinese Communists.

I told Mr. Lee on this occasion that I was not interested in leaving the Foreign Service and I was not interested in employment with the OSS. It was the same answer I had given the OSS several times before.

Mr. MORRIS. Was that the only occasion on which you ever had discussion with Mr. Lee?

Mr. SERVICE. That is the only discussion of which I have any recollection, and it is the last time I have ever seen him or talked to him.

Mr. MORRIS. Did you know Duncan Lee was identified before a congressional committee as a member of a Soviet espionage ring? Do you know he was identified before a congressional committee?

Mr. SERVICE. I read many years subsequently that he had been named, but my recollection from reading the paper was that the charges were not substantiated. I certainly had no knowledge at the time I saw him in 1944 that he was under any sort of suspicion. I knew he was a trusted officer of the OSS.

Mr. MORRIS. The testimony in the Congressional Record, Mr. Service, was that he was during 1945 a member of the Soviet espionage ring.

Mr. SERVICE. I had no knowledge of him in 1945, except that he was an officer of the OSS.

Mr. MORRIS. Mr. Service, did you ever meet Agnes Smedley?

Mr. SERVICE. I met Agnes Smedley once very briefly here in Washington in 1945. I had lunch with one or two other people and Miss Smedley was there. That is the only time I have met her to my knowledge.

Mr. MORRIS. Do you know now that Agnes Smedley has been identified by General MacArthur's intelligence organization as being a member of a Soviet spy ring?

Mr. SERVICE. I do not know that. I have read in the newspapers that published reports of statements by a Russian spy, who was captured and executed by the Japanese, include her name among many others.

Mr. MORRIS. That is the substance of the testimony.

Mr. SERVICE. Yes.

Mr. MORRIS. Do you know Mr. Haldore Hanson?

Mr. SERVICE. Yes, I know Mr. Haldore Hanson.

Mr. MORRIS. Will you describe to the committee the extent of your association with Mr. Haldore Hanson?

Mr. SERVICE. In the fall of 1937 in Peking, Mr. Haldore Hanson was representing the Associated Press. He was an extremely active young man and with a great deal of enterprise. He got on a bicycle and rode down a railway line, as I remember it, riding the ties or riding the path beside the railway, right behind the leading Japanese elements, and he arrived in the city called Paoting immediately after the Japanese capture.

Paoting, I think, is about 50 miles south of Peking. For some time he was able to walk around, write reports, and then all of a sudden the Japanese headquarters arrived. They said, "My goodness, what is this newspaperman doing here?" And they detained Mr. Hanson, put him through very grilling detention for, as I remember it, 10 or 12 days, and finally released him.

Mr. Hanson came back to Peking in very bad shape. I had a large house, my family had been evacuated from Peking, I was living there alone. I had only the most slight casual acquaintance with Mr. Hanson. But he had been living, as I remember it, at the Chinese YMCA or some place like that, where he couldn't get good food, and there was very little comfort, so I said to Mr. Hanson, "I have a house with lots of room, come over and stay with me."

He stayed with me, I think, for perhaps a month in my house. I left Peking at the end of that year. I have seen him usually several times since when I have been in the United States.

I have usually seen him around the State Department, once or twice. I think I had a cocktail at his home on one occasion. But we are not close intimate friends. We have not maintained that association.

Mr. MORRIS. Did you know Mr. Hanson operated for a period of time a newspaper in China?

Mr. SERVICE. I believe that he was a coeditor or one of the editorial board of a small magazine which was published out at Yenching University, in which a number of faculty members were interested. Dr. Leighton Stuart, Ambassador to China, was president of the university. I do not recall seeing a copy of the magazine. It was not a very flourishing enterprise.

Mr. MORRIS. Who was the coeditor?

Mr. SERVICE. I don't know.

Mr. MORRIS. Was Nym Wales, wife of Edgar Snow, a coeditor?

Mr. SERVICE. She could have been one. There was a man named Saylor. There was a young Englishman. I am speaking only from hazy recollection.

Mr. MORRIS. In all your association with Haldore Hanson did you recognize he may have been a member of the Communist Party?

Mr. SERVICE. I never saw any indication that he might be.

Mr. MORRIS. Mr. Service, do you know Nym Wales?

Mr. SERVICE. I know her slightly. She was living in Peking with her husband, Edgar Snow, during most of the years 1936 and 1937 when I was in Peking. I didn't know either one of them well.

I saw her certainly at functions in Peking like the Fourth of July receptions, where most of the Americans would be present. I remember seeing her at work as a newspaperwoman. She was doing some writing. For instance, I have a clear recollection of seeing her among the group of Americans who were watching student demonstrations in Peking in 1935, but all the newspaper people were there.

I think I saw her here in Washington once during the war, I am not sure whether it was 1943 or 1944, met her, I think we had a drink together.

Mr. MORRIS. In your dealings with Nym Wales did you have any reason to believe she was a member of the Communist Party?

Mr. SERVICE. No, I had no indication she was a member of the Communist Party. A rather emotional, high-strung person, always working for some cause, but I never heard her say anything to indicate she was a Communist or member of the party.

Mr. MORRIS. Do you know Edgar Snow, Mr. Service?

Mr. SERVICE. Yes, I know Edgar Snow.

Mr. MORRIS. Will you describe your association with Mr. Edgar Snow?

Mr. SERVICE. My associations with him are similar to my associations with most other newspapermen specializing in the Far East. As I have already mentioned, he was living in Peking in 1936-37. I saw him occasionally. I saw him more often than his wife because he came to the Embassy fairly frequently for news or conversations with officers of the Embassy for background information.

I saw Edgar Snow from time to time in Chungking during the war. He didn't spend all of the war in China, but he made several trips there. I saw Edgar Snow again at least once in the United States. I saw him again casually and as a newspaperman and writer perhaps two or three times in Japan in 1945 and perhaps early 1946.

Mr. MORRIS. In your dealings with Mr. Snow did you have any reason to believe Mr. Snow was a member of the Communist Party?

Mr. SERVICE. No, I believe he is not a member.

Mr. MORRIS. How would you know that, Mr. Service?

Mr. SERVICE. I don't know, but I don't see any indication in his writings that he is.

Mr. MORRIS. Were you in Peiping at the time his Red Star Over China was published?

Mr. SERVICE. Yes, I believe I was.

Mr. MORRIS. Were you present at a cocktail party when Mr. Snow made the statement that the success of his book depended for the most part on Owen Lattimore?

Mr. SERVICE. No, sir; I never heard that statement.

Mr. MORRIS. Were you present at a cocktail party in Peiping at which yourself, Owen Lattimore, and Mr. Snow were in attendance at the general time when the book had been published, Red Star Over China?

Mr. SERVICE. That was 1937, if I remember rightly, and it would be very hard for me to remember, since diplomats go to a good many cocktail parties. It would be very hard for me to remember if I was ever at a party where those two men were. It would not be surprising. I have no recollection.

Mr. MORRIS. You just testified, with what seemed to be a great deal of detail, your associations with both those two men. Now I should think you would be able to recall whether or not there was any confluence of associations there.

Mr. SERVICE. I am sorry, I cannot.

Mr. MORRIS. Do you know a woman named Anna Leise Wang, a Chinese girl?

Mr. SERVICE. The name doesn't ring any bell now. Could you tell me when or where I might have known her?

Mr. MORRIS. In China.

Mr. SERVICE. Anna Leise Wang, a Chinese woman. I am sorry, but I cannot.

Mr. MORRIS. Did you ever have a controversy with any of your superiors on whether or not you had given access to your files to a certain Anna Leise Wang?

Mr. SERVICE. I recall no such controversy.

Mr. MORRIS. In other words, it is your testimony that you do not recall ever having met, or associated with, or dealt with in any way Anna Leise Wang?

Mr. SERVICE. From the information you have given me, I cannot identify her.

Mr. MORRIS. Just for background purposes here, Mr. Service, will you describe how in the period prior to the war it would be possible for an American group of people to proceed to Yenan?

In other words, Yenan was then in Chinese Communist territory and separated from the main part of China by military forces. Could you tell us, based on your experience in China, how a group of Americans would proceed from a city occupied by the Nationalists to Yenan?

Mr. SERVICE. During what period, sir?

Mr. MORRIS. Well, the period that you were there in Peiping, say 1935 to 1941.

Senator GREEN. Would you mind telling the purpose of the question?

Mr. MORRIS. I stated it was for background purposes, because there were many of the people involved in this inquiry who did make trips from Nationalist China to Yenan; and there is a certain amount of confusion and a certain discrepancy in the method pursued.

Here we have Mr. Service, who spent many years in Yenan, and I thought this would be a good idea for us to determine—

Senator GREEN. For general purposes or Mr. Service's testimony?

Mr. MORRIS. Mr. Service's testimony and the testimony of the people whose testimony bears on his activities. You see, there is testimony here, Senator, that Mr. Service was mentioned in Communist circles as a pupil of Owen Lattimore's. We have addressed our question to Mr. Service and he has given us an answer. However, there is also evidence before the committee that a group of three people went to Yenan in 1937, I believe, that the people involved were T. A. Bisson, Owen Lattimore, and Philip Jaffe. There is also testimony it was Mr. Owen Lattimore who organized that party.

Senator GREEN. What has that to do with Mr. Service?

Mr. MORRIS. Mr. Service was in Yenan and I thought it was a good idea while Mr. Service was here that he explain how a group of Americans could proceed from Nationalist China to Yenan.

Senator GREEN. It does not seem to me it makes any difference how they proceeded, from what you have said.

Mr. MORRIS. I do not think it is fair that I should be drawn out. The purpose in asking this is to determine the plausibility of Mr. Lattimore's statement that he was able to arrange for this trip for Jaffe and himself to Yenan and yet not have any association with the Chinese Communists.

Senator GREEN. You are checking up on Mr. Lattimore's statement about himself?

Mr. Morris. It is related. I am still pursuing this line of questioning here that Mr. Service was a pupil of Mr. Lattimore.

Senator GREEN. Well, I will not object to your asking this question, but I am afraid you are going very far afield, and we do not want to check up through this witness on what might have been truth or falsity of other witnesses' testimony, unless it relates to Mr. Service.

Mr. Morris. Senator, I have explained the reason I have asked the question. I maintain it is pertinent. However, if you insist, Senator, I will withdraw it.

Senator GREEN. I will not object in this case, but I am just giving a warning that we do not go so far afield that we will take days on Mr. Service's testimony.

Mr. Service. Let me make a few corrections. I was in Peiping during the years 1936 and 1937, not up to 1941, as you mentioned. I have not spent years in Yenan. I have spent a total of 4 months in Yenan.

Now, as I have just said, I was in Peiping and studying Chinese during the period I presume you are interested in, the period in which Mr. Lattimore and others entered, went to the Communist areas. I have no knowledge of how they made the arrangements.

There were other people who also went in then or fairly soon afterward. I would point out, though, just a speculation, that the Communist areas were extensive, they were not at that time rigidly defined by trenches or military lines, that there undoubtedly were Communist agents in some of the cities held by the Central Government, and as a matter of speculation, I don't think it would have been difficult to have simply gone out in the country and walked through by some small byroad.

I personally have no direct knowledge of how the arrangements were made, but knowing China and having a general picture of the situation at that time, I can see no real difficulty, provided a man was willing to put up with a certain amount of discomfort and hardship in getting over these very vague and indistinct lines.

Mr. Morris. Will you tell the committee the extent of your association with Harold Isaacs?

Mr. Service. Yes. Harold Isaacs was for a good many years during the war the correspondent in China of Newsweek. I met him first in Chungking as a newspaper man. I saw him fairly frequently, as I saw all the other foreign newsmen in Chungking. He made a very brief trip to Yenan. I saw him there and I saw him once in New York, I think, in 1945. I think I had supper at his home one evening.

Mr. Morris. Mr. Service, do you know Duncan Stein?

Mr. Service. Yes, he was also a newspaperman out in China.

Mr. Morris. Will you give the committee the extent of your association with Mr. Duncan Stein?

Mr. Service. As I mentioned yesterday, he was correspondent in China for the Christian Science Monitor and also, I believe, the Manchester Guardian. He was a particularly hard-working correspondent and he had some excellent contacts with important Chinese officials of the Central Government.

I had contact with him in the same way I had contact with the other press men. He went up to Yenan and was a member of the group of

correspondents who stayed up there for several months, and of course I saw him up there as I saw the others. I have not seen him since 1946.

Mr. Morris. Mr. Service, do you know that General MacArthur has released a report that Mr. Duncan Stein has been identified by the late Richard Sorge as having been a member of the Soviet espionage ring?

Mr. Service. I have so read in the newspapers. I have never seen any substantiation.

Mr. Morris. During all your association with Mr. Stein, was there any indication to you that he was a Soviet espionage agent?

Mr. Service. No.

Mr. Morris. Will you describe to the committee the extent of your association with Andrew Roth?

Mr. Service. When I met with the Washington office of the Institute of Pacific Relations in November 1944 there were quite a number of my friends and acquaintances there, and they came up to speak to me and say "Hello" after the meeting was over. There were also several people that I had not met before who came up to introduce themselves. As I remember it, Mr. Roth, Lieutenant Roth, was one of those people who came up to introduce themselves after the meeting. As I recall, he was in company of another naval officer. I don't remember who it was.

Mr. Morris. Did he introduce you to the other naval officer?

Mr. Service. Very likely, but I don't know now who it was. He was wearing a naval uniform. He told me he was working in the Office of Naval Intelligence on Far Eastern matters. He mentioned that he was familiar with some of my reports and, having seen my reporting, was interested in what I had said. He mentioned several mutual friends we had. He hoped that we would have a chance sometime to become acquainted.

Actually, I left Washington a few days subsequent and did not see or hear from him until I returned to Washington the next year, in April 1945. He called me a few days after I arrived, said he had heard I was in town, he was giving a small party, mostly Far Eastern people, there would be some of my friends there, and could I come and have supper with him on that night? I accepted.

During that day, as I mentioned before, he called up, asked me if I would be good enough to see Mr. Jaffe sometime during the day. I don't remember all of the occasions that I saw Mr. Roth. They were all social after that. In fact, that was a social occasion. He was present at certainly one and I think two suppers which I had with other officials in the Government, research people working in some of the other Government agencies.

I heard something of him. I knew he was acquainted with other people in the Department of State. I, of course, found that he was also invited by the Lattimores for that weekend in June. I saw him the night of the arrest, June 6, 1945. I have not seen him since.

Mr. Morris. I know you have answered the following question, but I want to integrate it into this line of questioning, so you can digest this rather readily. Will you explain your association with Philip Jaffe? I know you have gone into it, but I would like to incorporate that into this particular line of questions.

Senator GREEN. Isn't this a rather waste of the committee's time?

Mr. MORRIS. Mr. Service can simply incorporate what he said yesterday in answer to this question.

Senator GREEN. He may do that.

Mr. SERVICE. If I could, that would save a great deal of time.

Mr. MORRIS. I wish you would.

Mr. SERVICE. I would like to simply incorporate into the record now the answer I gave yesterday in regard to Mr. Jaffe.

Mr. MORRIS. And may I ask you this question. In your associations, as you described yesterday, with Mr. Jaffe did you realize he was a Communist?

Mr. SERVICE. I did not. I had been specifically told that he was not a Communist.

Mr. MORRIS. Did you know, for instance, that he had published the magazine China Today under a different name?

Mr. SERVICE. I did not. I had never been a reader or subscriber to China Today.

Mr. MORRIS. The purpose of this line of questions has been to make use of Mr. Service's address book and several other incidents, several other documents here, which indicate that the following people I have asked him about were his associates, and whenever I mentioned the name of any of those people I indicated whether or not there was evidence before a congressional committee generally that the particular person was a Communist.

Now, I submit in the interests of objectivity and in the interest of further guides in connection with loyalty examinations that we should look into this phenomenon of a man who is supposed to be an expert on the political situation concerning the Far East, a man whose career is in the Government, to be able to distinguish and deal with people where a knowledge of the various nuances in political association—yet, at the same time, here he can be associated with these people over a long period of time and not have any recognition of the underlying facts that these people—I qualify that by saying, by adding, what I did add after each name—were not Communists or associated with Communists.

I think it is a situation that we should pursue here, and I think it could well afford to be a guide to a committee such as ours in determining the loyalty of an employee.

Senator GREEN. That is an argument for you to address to the committee while considering the effect of his testimony. Will you proceed with your investigation.

Mr. MORRIS. Mr. Service may want to comment on that.

Mr. SERVICE. Yes; I would like to comment.

Mr. MORRIS. Is it your testimony in each case, Mr. Service, you did not know in one case, Mr. Adler. You shared an apartment with him for a whole year and yet you had no idea, as you said, that he was a member of the Soviet espionage ring, and I submit that that situation of your not realizing that underlying fact is something this committee should properly pursue.

Mr. SERVICE. The charges against many of these people were made years later, and the charges, so far as I know, against—I would have to have a list of the names—but the charges against a great many of them, most of them, have not been proved.

Mr. MORRIS. You mean in a court of law?

Mr. SERVICE. Yes.

Mr. MORRIS. I identified the evidence in each case.

Mr. SERVICE. Or before a loyalty board. Most of these people were newspapermen. I knew a great many other newspapermen. Mr. Isaacs was a one-time admitted Communist. He was a Trotskyite, and he has been reviled and damned up and down because he hates the Stalinists and they hate him. Furthermore, these people are only a very small segment of my associations during this time.

For this inquiry to be complete, we should have a full inquiry as to who my associates are. One quick and easy way to get one sample would be the people who have voluntarily testified on my behalf before the Department of State loyalty and security board.

They have included Ambassador Nelson T. Johnson; they have included Ambassador Clarence E. Gauss; they have included Col. Joseph Dickey, of the United States Army; they have included Col. Frank Dorn, formerly Brigadier General Dorn. They have included a great many other people whom I have known intimately, who have known me, and who have demonstrated their confidence in me by being willing to testify in my behalf.

I have been a person whose work has put me in contact with a great many people, and I have known a great many people.

Mr. MORRIS. That is readily understandable, Mr. Service, but at the same time, if you are an expert on Chinese Communists, when you are dealing with somebody who is at that time either a member of the Communist Party or a Soviet espionage agent, it seems credible, at least plausible, that you should be able to recognize such a person.

Mr. REILLY. May I ask a question? Was counsel aware when he put this question about Maj. Duncan Lee, for example, that in civilian life he was professionally associated with the firm which was the agent or the purchasing agent for the Chinese Central Government?

Mr. MORRIS. There is testimony before a congressional committee—to what extent it is pertinent to this inquiry, I think it is all related and I think all these things should be thoroughly gone into, but the testimony was Duncan Lee was a full-fledged member of a Soviet espionage ring, not as an official, Soviet Government official, either, but as a covert, secret member of a Soviet espionage ring.

Mr. REILLY. What I am getting at is you have asked questions to bring out apparently that Mr. Service was widely acquainted with journalists who were critical of the Chinese Central Government.

Mr. MORRIS. No; I didn't—Communists or Soviet agents.

Mr. REILLY. And who have been identified or accused at various times of being Communists. What I am getting at is you did not bring out, though you must know, that one of these people that you mentioned—and there is some testimony that he offered Mr. Service a job with his agency—was a man professionally who worked with the Chinese Central Government. I think that is a matter of fairness; if you are asking about one facet of any of these people, you ought to bring it all out.

Mr. MORRIS. I think it was all brought out. Mr. Service explained his association with Mr. Lee and he said Mr. Lee had invited him to become a member of the OSS.

Mr. REILLY. I am not suggesting he knew that. He said that was the only time he saw him. But I am suggesting you knew it.

Mr. SERVICE. He, as assistant to General Donovan, who had also spoken to me personally previously about accepting a position.

Mr. MORRIS. And his name appears in your schedule of events in the week preceding the arrest. But that does not alter the underlying question one bit.

Senator GREEN. What is your question?

Mr. MORRIS. Mr. Service wanted to comment on the situation that he as an expert on far eastern affairs, an expert on Chinese Communists, should have dealings with a long list of people, and I have used basically your own address book and your schedule of events at the time of your arrest as my sample, and yet at the same time I say it seems incomprehensible to me that you should have no inkling in every case that any one of these people was a Communist or Soviet espionage agent.

Senator GREEN. That is an argument to make to the committee. Will you kindly proceed with your questioning of the witness.

Mr. MORRIS. Mr. Service was commenting on that, and I do not think he has finished and I am giving him an opportunity to finish.

Senator GREEN. Mr. Service, do you care to comment any further on this statement of Mr. Morris?

Mr. SERVICE. I don't believe any purpose is served by further discussion. Most of these are based on allegations, not on proof.

Mr. MORRIS. I mentioned testimony before various committees.

Mr. MORGAN. It would be most helpful if you would indicate for the record before what committees this testimony was received, where it may be found, in order that we may incorporate it in our record and study it incident to consideration of these questions and answers at this point. Do you have that information?

Mr. MORRIS. Not in the detailed sense, but I think it is pertinent that we should introduce every bit of it into the record.

Mr. MORGAN. That is my point. Do we know at this point where this testimony is to be found?

Mr. MORRIS. I think I could with a little time put it all together.

Mr. MORGAN. Do you know what committee the testimony was received before?

Mr. MORRIS. It varied, and in each case I tried to identify. In the case of Duncan Stein and Agnes Smedley, I mentioned it was General MacArthur's disclosure as recalled by the Sorge diary.

In connection with Duncan Lee and Sol Adler, that was testimony by Elizabeth Bentley, who gave the identity of the members of her espionage ring. I do not think it right that we should go through the whole thing now and expect I should be able to give it all in detail.

Mr. MORGAN. I did not have any such expectation. I merely thought it might be helpful if we could be directed at this point to where the testimony is found. If you do not have it, that is all right.

Mr. MORRIS. I would like the opportunity of presenting to the committee the full testimony relevant to all the people I have named in this interrogation.

Senator GREEN. We will consider the relevancy of the testimony and also how far it is permissible, how far it is hearsay.

Senator LONGE. Are you going to exclude hearsay here?

Senator GREEN. I say how far it is hearsay. To a certain extent, yes.

Senator LONGE. That is a new departure.

Senator GREEN. Have you any further comments to make, Mr. Service?

Mr. SERVICE. We would like to have put into the record the complete list of addresses.

Senator GREEN. That has already been put in, as I understand.

Mr. REILLY. I think there was a request earlier that you put it in, and I think the committee granted it.

Senator GREEN. If it has not been put in, it will be admitted now.

(The data referred to above are to be found at page 2199 of the record.)

Mr. MORRIS. Mr. Service, were you ever punished by General Hurley for violation of orders while you were in China?

Mr. SERVICE. Certainly not. I could not be punished by General Hurley, since I was not at any time under his supervision or jurisdiction.

Mr. MORRIS. Did you violate an order of General Hurley when he gave a direction that you should not be allowed to go to Yenan during a certain period?

Mr. SERVICE. I know of no such order. He gave no such order to me. I traveled to Yenan on Army orders which were issued by the Army headquarters under whom I was serving. I went under specific instructions and orders.

Mr. MORRIS. So, it is your testimony you never disobeyed orders of General Hurley not to go to Yenan?

Mr. SERVICE. I knew of no such orders, and General Hurley was not in a position to give me such orders. I went there under orders of United States Army headquarters in China.

Mr. MORRIS. Would you testify that, therefore, an assertion that you were sent home from China because of a violation of such orders—would you testify that statement is incorrect?

Mr. SERVICE. I was sent home, so I have been told, because Ambassador Hurley requested Secretary Stimson to have me relieved and brought home.

Mr. MORRIS. What reason did he give?

Mr. SERVICE. I do not know. I was not, of course, present and I have never heard the details.

Mr. MORRIS. But it is your testimony that you never went to Yenan after having been told not to go to Yenan?

Mr. SERVICE. I was never told not to go to Yenan.

Mr. MORRIS. When were you told not to go to Yenan?

Mr. SERVICE. When? I just said I was never told not to go there. I went there under orders. I could not have done anything else except to go since I had the orders to go.

Mr. MORRIS. So, it is your testimony you were never ordered not to go to Yenan?

Mr. SERVICE. No, sir.

Senator GREEN. You mean "Yes, sir."

Mr. SERVICE. I was never ordered not to go to Yenan.

Mr. MORRIS. Mr. Service, have you ever written any report for a publication under any other name?

Mr. SERVICE. Under any other name?

Mr. MORRIS. Yes.

Mr. SERVICE. No, sir.

Mr. MORRIS. Any name other than your own name?

Mr. SERVICE. No, sir.

Mr. MORRIS. Have you ever used another name in any association?

Mr. SERVICE. I am known by a number of nicknames—"Jack" and "Jake"—but in any official connection I have always signed my name "John S. Service."

Mr. MORRIS. But in any association of any kind have you ever moved about with a different name?

Mr. SERVICE. Well, during our assignment to the headquarters in China there were a group of four Foreign Service officers, political officers, attached to General Stilwell's staff. We wrote to each other from time to time, principally it was Mr. Davies who was the senior member of the group and the one taking the direct orders from General Stilwell, and who was stationed in New Delhi most of the time.

Generally it was a case of his writing to one of us and telling us or suggesting to us that we do such-and-such a thing or cover such-and-such a subject. Now, because our letters had to go over the Hump over Japanese territory, we had a little informal list of pseudonyms which we would use in referring to people. My particular pseudonym, I think was Hare—H-a-r-e. That is the only occasion I can think of when I might have been referred to by any other name than my own.

Mr. MORRIS. What was the purpose of using that?

Mr. SERVICE. For security.

Mr. MORRIS. You did not use it officially for security purposes?

Mr. SERVICE. The letters went through official channels.

Mr. MORRIS. Was that in violation or with the approbation of official channels?

Mr. SERVICE. With the approbation, knowledge, and approval of official channels. Just a list of names and places. We didn't talk in the early days about Yenan. The Army name for Yenan was Dixie. It was simply that sort of thing. The project for building the air bases in Chengtu was called Matterhorn.

Senator LONG. Were the people who lived there called Dixiecrats?

Mr. SERVICE. It was customary during the war to adopt these code names and symbols.

Mr. MORRIS. I would like to resume this line of questioning that I now come to in connection with these letters in executive session. I am asking this as a particular request. The reason for it is that in the first place a lot of these things may be impertinent, a lot of these inquires in the letters. They may simply be ambiguous, and with an explanation, they may be all cleared up.

However, others may not be. So I think it is only appropriate that this next line of questioning—namely, whether or not there is any significance to the letters found in your possession at the time of your arrest, Mr. Service—and I would like to ask the committee that that be done in executive session.

Senator GREEN. Mr. Service, what is your wish? Are you willing to accede to that request?

Mr. SERVICE. We are willing to accede to that request. We have been questioned, I believe, on all of this material by the Loyalty Security Board.

Senator GREEN. Is that the last line of testimony you have in mind?

Mr. SERVICE. The transcript will be available, I believe, but I will be glad to proceed in executive session.

Senator GREEN. Is that the last—

Mr. MORRIS. It is next to the last.

Senator GREEN. Can we proceed with the other?

Mr. MORRIS. I have just got back an analysis from the Federal Bureau of Investigation, an analysis I asked for in connection with those letters. Also there is other evidence I am not prepared to go into at this time. Therefore, I ask that the next line of questioning be held in executive session at a time convenient to the committee and to Mr. Service.

Senator LODGE. Senator Tydings set 10:30 Monday morning for an executive session.

Senator GREEN. He did not determine what was to be taken up then?

Senator LODGE. No.

Mr. MORRIS. What comes up in those letters will be pertinent to some of the evidence.

Senator GREEN. That is as far as you are able to proceed today?

Mr. MORRIS. I really submit that request to you, sir. I would rather not until I have the answers to some of the inquiries in these letters.

Senator GREEN. Do you have any comment or your attorneys, Mr. Service?

Mr. REILLY. May we have a conference a moment?

Mr. RHETTS. Mr. Chairman, our difficulty is with the suggested air of mystery Mr. Morris has now introduced about certain FBI analyses of these letters. The point is we are perfectly willing to be questioned about them in the full light of day. If it is the desire of the committee positively to do it, we will accede to it, but I quite frankly—the consideration that motivates us is that we do not want—

Senator GREEN. Mr. Morris made a request, and I am asking you whether you accede to that request, and we do not want these "ifs" and "buts."

Mr. MORRIS. May I aid Mr. Rhetts possibly in his answer. In connection with the analysis of these letters, I know you have suggested it, Mr. Service suggested it, that a good deal of investigation has been undertaken by the Federal Bureau of Investigation and by the various loyalty boards, or by the Loyalty Board.

Rather than have a full display of all the incidents and all the references in these letters, I suggested in the first place, during the week I asked the FBI if they would supply me with whatever pertinent facts they have ascertained in connection with the letters. It was given to me this very day. I do not know what is in it. I have not had a chance to even look through it.

I say that the appropriate thing to do right now at this juncture would be for me to go through this, have an executive session on the basis of that, and then make a decision as to how we will proceed from there. I think it is reasonable. It is acceding to your request.

Senator LODGE. Let me say before you comment on that, of course, you will have the right on Monday at the end of the day to ask for another public hearing and you can ask for it.

Mr. RHETTS. That is true.

Mr. MORRIS. In this connection, we do not want to go into any events in Mr. Service's life that do not bear on loyalty and subversion.

Mr. RHETTS. As an original proposition, I would have agreed with

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you on that, but you started off the discussion of these letters, and it is only that I feel somewhat hesitant to cut it off in midstream in public. However, I gather that you are referring to more of these personal letters that were found among Mr. Service's personal effects?

Mr. MORRIS. Yes. I think in justice to everybody concerned that things like this should be gone through in executive session and only those things that relate to subversion or possible subversion be aired.

Mr. RHEUTTS. Very well. We will accede to counsel's request.

Senator GREEN. This hearing is adjourned for this day. We will continue in executive session Monday at 10:30 in room G-23.

(Whereupon, at 3:25 p. m., the subcommittee adjourned to reconvene at 10:30 a. m., Monday, June 26, 1950 in room G-23.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, JUNE 26, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.
EXECUTIVE SESSION

The subcommittee met at 10:30 a. m., pursuant to adjournment on Friday, June 23, 1950, in room 228, United States Capitol. Senator Millard E. Tydings (Chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee; Mr. Robert Morris, assistant counsel of the subcommittee; Charles Edwards Rhett, Esq.; Mr. Reilly, Rhett & Ruckelshaus, counsel for Mr. John W. Service.

SENATOR TYDINGS. I think we might as well proceed.

I have a letter from the Department of Justice which I will read:

OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, June 26, 1950.

Hon. MILLARD E. TYDINGS,

Chairman, Subcommittee Investigating the State Department,
United States Senate, Washington 25, D. C.

DEAR SENATOR TYDINGS: I wish to acknowledge your letter of June 14, 1950, concerning a reported conversation on May 8, 1945, between Philip J. Jaffe and John Stewart Service at the Statler Hotel, on which occasion Service made the statement, "Well, what I said about the military plans, of course, very secret."

As you well know, it has been a policy of long standing for the Department of Justice to respectfully decline to comply with the demands for the production of the investigative records of this Department before the various committees of Congress. The reasons for this policy are, of course, obvious, and have recently been completely stated before your subcommittee by the Attorney General and the Director of the Federal Bureau of Investigation.

However, in the present situation, the Department is confronted with several impelling factors not usually encountered in a matter of this kind. One sentence from an investigative report has already found its way into testimony taken at an executive session of your subcommittee and has been widely publicized. In view of the significance of the sentence quoted, the Department has concluded that the public interest requires that the immediate context in which this sentence appears should be made available to your committee. Therefore, there is transmitted herewith an exact copy of the transcript of the conversation between Jaffe and Service relating to the sentence in question.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Mr. McInerney brought this up to me at my request. I made request for the full testimony, and inasmuch as it is secret, I feel that I would

like to ask him into the room while we are discussing this phase of it, not only that we may ask him any question pertaining thereto but, as he brought it up and is the man who prepared it, I think it in keeping that we have him in the room.

Senator LODGE. How do you mean; he prepared it?

Senator TYDINGS. He is the man who brought it up and the man I asked to get it for me. He brought it up personally this morning, and he is familiar with all the background, the getting of it and everything, and he would like to sit in so that we do not get the Department in a false position because of nobody here to answer a question that might come up.

Senator LODGE. I want to be clear that this is a stenographic report of a conversation. This is not a paraphrase or excerpts.

Senator TYDINGS. Oh no, no. All right?

Senator LODGE. Yes; that is all right.

Senator TYDINGS. Let him come in.

(Mr. James M. McInerney, Assistant Attorney General, was admitted to the hearing room.)

Senator TYDINGS. I have just finished reading a letter from Mr. Peyton Ford to me, and it encloses the transcript of what happened. I likewise feel that I must repeat now the following, which is a caveat which goes with this testimony:

Most of the foregoing information—

that is, what I am going to read shortly or have read—

regarding the contacts made by the various principals and the documents which were exchanged were obtained through highly confidential means and sources of information which cannot be used in evidence.

That is what I am advised by the Federal Bureau of Investigation.

Senator LODGE. Are they the author of that statement that you just read?

Senator TYDINGS. Yes. They gave it to me and said, unless this was read with it, it would not have its correct connotation.

Senator McMAHON. The boys outside want to know whether this is open or closed.

Senator TYDINGS. I told them it was closed.

Senator McMAHON. I did not have enough information because I had been away, but they made this request that, if it is going to be closed, they can be so told so they can go downstairs.

Senator TYDINGS. It is closed.

This information cannot be used, as I am advised, as evidence in a court of law. I am going to request everybody here that there be absolutely no leak of any kind, manner, shape, or form, direct or connived at, for the release of this testimony, until the committee takes action formally on what to do with it.

Mr. RHETTS. May I say for my part, sir, I am perfectly willing to make a representation to respect that request, if we are going to be in executive session. We propose to scrupulously adhere to that.

Senator TYDINGS. In other words, we have gotten the Department of Justice to break a precedent in order to give us this testimony, and it is not the kind of testimony, for reasons that are obvious, that might be used in a court of law. We are not a court of law. We are not sitting here as a criminal court, and I would appreciate it if every-

boby would make it a rigid rule that there be absolutely no divulgence of what goes on here this morning until the committee formally decides to turn it loose or whatever they want to do with it.

Senator McMAHON. I would like to say this on the record: That of course I am bound, and would be bound, and always have been bound, by those kinds of agreements; but I want to reserve—and I think it is unnecessary perhaps to say it—the right to decide whether, because it isn't available for introduction into evidence, it still might not prevent us from divulging it. That, of course, is a question which will be postponed, and I reserve the right to determine that then, and in the meantime to keep absolute secrecy.

Senator LODGE. Wait a minute. I didn't understand that remark of Senator McMahon. You say you reserve the right to release the testimony?

Senator McMAHON. I say I am bound by this agreement for secrecy now. I reserve the right in deliberations of the full committee as to whether or not this committee should release this testimony.

Senator LODGE. Before the full Foreign Relations Committee, you mean?

Senator McMAHON. Or to the public.

Senator LODGE. You aren't proposing to do it unilaterally yourself?

Senator McMAHON. That is what I am emphasizing. I am bound by the agreement and I keep those agreements, unlike some other people that you and I know. What I am trying to say is that, by doing so, I do not foreclose my right to vigorously urge and vote for a release of this testimony at some date in the future. In the meantime, with me it is executive testimony.

Senator LODGE. I would like to say that I take the same position, and I have been very much shocked at the way in which great pieces of this testimony have appeared verbatim in the newspapers. When it happened once I thought, well, that was an indiscretion or a remarkable illustration of journalistic enterprise. It hasn't just happened once; it happens all the time, and of course that is another reason why I consider that a congressional committee is a poor device to try to do this kind of work, because it is entirely unprofessional; it means you never can really do a bang-up job if you cannot feel that when you are speaking in private you are speaking in private. Now, as it is, when you speak in this committee you have always got to have the afterthought in the back of your mind that everything you say is going to be in the papers 3 days later, and if you want to say something that should not be in the papers you just do not say it, and that, of course, vitiates largely the effectiveness of this investigation.

Senator TYDINGS. I agree with you.

Senator LODGE. It is very bad, and it is one of the reasons why this is not a good way to go at this kind of job.

Mr. MORGAN. Mr. Service, you will recall that during the course of this interrogation of last Thursday and Friday some reference was made to the meeting between you and Mr. Jaffe at the Statler Hotel on May 8, 1945. Do you recall that discussion?

Mr. SERVICE. I remember some reference was made; yes.

TESTIMONY OF JOHN W. SERVICE—Resumed

Mr. MORGAN. Since that time, Mr. Service, have you endeavored in any way to refresh your recollection concerning the nature and details of this conversation?

Mr. SERVICE. I have been continuously trying to refresh my recollection, sir.

Mr. MORGAN. In passing, in point of time, May 8—let's see; that was after VE-day and before VJ-day; is that right?

Mr. SERVICE. That is correct.

Senator TYDINGS. By the way, does anybody know precisely when VE-day was?

Mr. RHETTS. There are two different determinations.

Mr. McINERNEY. May 8.

Senator TYDINGS. And VJ-day was August 14?

Mr. RHETTS. Yes.

Mr. MORGAN. So, this conversation occurred, then, on VE-day; is that correct?

Mr. SERVICE. I have no recollection of the coincidence of the events.

Mr. MORGAN. I merely mentioned that with the thought that it might refresh your recollection to some degree on the conversation.

As I understand, it does not?

Mr. SERVICE. No.

Mr. MORGAN. Mr. Service, there is frankly in my mind some question relative to the propriety of the divulgence of technical material of this character, and before I proceed to read into our record, and thereafter ask your comments concerning this conversation, I would like to know whether I have your permission and the permission also of your attorney to read and to incorporate the verbatim text of this conversation as reported to us by the Federal Bureau of Investigation into our record.

Mr. RHETTS. In that connection, sir, could I make a preliminary inquiry?

I may say, first of all, I take it whether or not you have my permission you can read it into the record, but I would like to inquire whether the material that you have purports to be a transcription of a recording, whether it purports to be the notes taken by a person who is alleged to have listened to the conversation, or precisely what it is, because, as I believe I suggested a few days ago, in assessing this kind of material a person who is listening with earphones and taking notes may have gotten accurate notes, may have gotten inaccurate notes, depending upon how familiar he was with the subject matter under discussion, and so on. So, I would appreciate it if you would possibly tell us whether this is an actual recording—

Senator TYDINGS. Disk?

Mr. RHETTS. A copy of a disk, or whether it is notes taken by a person who listened, or what it is.

Mr. MORGAN. Mr. Chairman, I think we have with us this morning Mr. McInerney, who heretofore has been sworn in this proceeding, and I think probably he would be in a better position than any of us to answer that question.

Senator TYDINGS. I think we ought to ask Mr. McInerney if he could answer that question.

Mr. McINERNEY. It is a record, a disk record.

Senator TYDINGS. This is a copy of a disk record played back, and the words taken down for our use; is that correct?

Mr. McINERNEY. Yes.

Senator TYDINGS. You still have the record?

Mr. McINERNEY. I don't know, sir. This was taken from the record.

Senator TYDINGS. It was not taken stenographically?

Mr. McINERNEY. No, sir.

Senator TYDINGS. It was taken by a device that could be rebroadcast from the record itself without any other interpretation?

Mr. McINERNEY. Yes, sir.

Senator LODGE. When was this done?

Mr. McINERNEY. Simultaneously.

Senator TYDINGS. May 8.

Mr. RHETTS. In that connection, Mr. Chairman—and I hope you do not think I am quibbling—I would like to suggest that, if there is a record, it would be desirable to have that record played. I made that request before, and if it is, as Mr. McInerney suggests, that type of material, my own belief is that that would be the most useful method of assessing the content of it. I make that suggestion to the committee.

Senator TYDINGS. What is your answer to that, Mr. McInerney?

Mr. McINERNEY. I would doubt very much if the actual record is in existence any longer.

Senator TYDINGS. I would like to ask, too, in order to give everybody here a "fair shake," Mr. Morgan, whether you think it would be inappropriate to let counsel for Mr. Service see this transcript before he binds himself to any answer on it, or whether he should not handle it in that way.

Mr. MORGAN. As I indicated, Mr. Chairman, I think there is a question of propriety involved in the divulgence of information obtained from technical sources of this kind, and I would like, certainly, to have the concurrence of Mr. Service and his attorney before I read it into the record, and inasmuch as there appears to be some question as to the disposition at least to go along with the idea of my reading it in at this point, inasmuch as the record was made, I personally think it might be well to let them read this over in our presence and then commit themselves one way or the other as they desire.

Senator TYDINGS. So long as you haven't the original document here, which would be the record itself, and this is a transcript, I would think that fairness and justice would dictate that before Mr. Service or his counsel commit themselves to this they ought at least to have a chance to look at it.

Senator LODGE. Supposing Mr. Service's counsel objects to this. Then what?

Senator TYDINGS. Then we can go ahead with it anyway, but it would be much better to get it with his assent.

Senator LODGE. "Assent" meaning that he approves the accuracy of it?

Senator TYDINGS. No; I mean if he says "I am perfectly willing to have this go into the record for whatever it is worth, and to be interrogated about it." That is what we would like to know.

Senator LORION. Supposing he says "I am not." Then what?

Senator TYNDERS. We can put it in anyway, but obviously, it would have a different standing.

Senator LORION. Not being a lawyer, those points elude me. It seems to me—

Senator TYNDERS. It couldn't be offered at all under the rules of evidence. That is what the exhort on the top of the letter says. So we are putting something in here that would have no place in a court of law.

Senator LORION. If this was a court of law, I wouldn't be here. But I don't understand; if we are investigating the question of whether there were military plans made available by Mr. Service to Mr. Jasse, it seems to me we have got to look into this, whether Mr. Service's lawyer agrees or not. Therefore, I don't see why he should be asked. I don't object to it, on the understanding that I am not agreeing to the necessity of asking him.

Mr. Service. I am not a lawyer either, Senator Lodge, but my own feeling with regard to the question Mr. Morgan asked is that I don't what is there. I don't know how perfect the recording was, how complete. If I could hear a phonograph record and could recognize my voice, then I obviously could have no objection.

(Discussion was continued off the record.)

Senator LORION. I do not feel that it is consistent with my duty as a member of this committee to be bound by any objection that counsel may make as to the introduction of this verbatim transcript, and I feel it is my duty, whether he likes it or not, to read that transcript and to follow up the leads that it may develop.

Mr. MORGAN. When you used the word "counsel" you meant Mr. Service's counsel, I presume, Senator?

Senator LORION. That's right.

Mr. MORGAN. Referring again to the observations I made a few moments ago, that in view of the question of divulgence involved in this matter, and my question was directed to the Communications Act of 1934 as amended, I would like again to suggest, Mr. Chairman, that if we can obtain the consent and assent of Mr. Service and his attorney to the reading of this in the record, I think it would be well. If they do not so assent, then I think certainly the committee should determine whether we will incorporate it in our record despite their nonconcurrence.

Senator TYNDERS. I think that is a good procedure.

Senator LORION. You say the committee should determine; you do not say the committee should do it!

Senator TYNDERS. You say, "If they do not give their consent."

Senator LORION. He is not recommending that we do it, is he?

Mr. MORGAN. I would say on that score, Senator, that I would have some question about recommending that this committee do something that might constitute an affirmative violation of law, and in that connection I might say I think I have rather intimate knowledge or acquaintance with the Communications Act and the provision with respect to the divulgence of information obtained through the interception of telephone conversations or the utilization of telephone devices. I think certainly that in the event counsel for Mr. Service re-

fuses to extend his consent, then the committee can meet, possibly here, and make a determination on this. At the moment I think we have not that bridge to cross, because Mr. Service and his attorney may certainly agree to it.

Senator Lodge. I am just talking about supposing they do not agree. That is the point where I don't understand what you are driving at. I frankly don't understand it, because I am not a lawyer and I can't conceive that under S. 281 this committee was directed to do anything that is prevented by any laws, and it seems to me that all I need to know, the only law I need to know to do my duty on this committee, is Senate Resolution 281, and that directs me to make a full and complete investigation. I just can't understand what this timorousness is. I just don't get it.

Senator Tydings. Let me see if we can't make progress by first not crossing the second bridge if it isn't necessary. We may get over the first one. I would suggest that we submit the matter to Mr. Rhotts without binding the committee to any course of action pro or con, just to see whether or not he will consent to the reading of it on behalf of his client.

Now, if he does not consent, we can still read it if we want to read it. I would like to know what his attitude is about it. That is all we have before us at this stage of the game. When we decide that question, we will take up the next one. We can't decide two questions at the same time.

Senator Lodge. Have we ever done this before? I do not recall its ever being done before.

Mr. Moran. I think in our proceeding this is probably the first time we have ever had this particular problem before us. I frankly believe that the committee is entitled to this information, and should have it incident to its deliberations. I do think that if we can gracefully avoid any problem under the statute we should avail ourselves of the opportunity to do so, and that is why I think perhaps we should obtain, if we can, the concurrence of Mr. Service and his attorney.

Senator Tydings. So that we get it without violating the law, if possible.

Let me ask, just in order that we might make progress, is there any objection to letting Mr. Rhotts read it and getting his answer as to whether or not he and his client are agreeable to us presenting it, without binding us to any course of action, no matter what their course of action might be?

Senator Lodge. I make the statement I did before, that I consider it is a duty to examine this document, whether Mr. Rhotts likes it or not.

Senator Tydings. I do, too. I agree with you thoroughly. I think it is a duty we have, but I think we can proceed in a fashion that can make that duty more agreeable than it otherwise would be.

Mr. Moran. Where do we stand?

Senator Tydings. I put it to the committee.

Senator Lodge. I do not understand what the issue is and, not understanding it, you can outvote me if you want to, but I am not going to give my consent to a procedure the full implications of which I do not understand, and I don't understand all this appears to be on the surface.

Senator TYDINGS. Senator Lodge desires that we go ahead with the reading of this transcript without asking counsel or his client, Mr. Service or Mr. Rhett.

Senator LORKE. I have made no motion. I just do not want it to appear on this record that this occurred by unanimous consent, because I don't want to give my consent to a procedure the full technical import of which I do not understand.

Senator TYDINGS. Do you want us to go ahead?

Senator LORKE. You are trying to get unanimous consent to this procedure, which is a technical legal procedure the full import of which I do not understand. I would rather have you vote it.

Senator TYDINGS. My point is, I am asking you specifically, shall we go ahead with the reading of an alleged conversation without asking for the consent of either Mr. Service or Mr. Rhett, his counsel? That is all.

Senator LORKE. I think to me the procedure we have followed right along is, we have evidence come in and we examine it.

Senator TYDINGS. Then that answer would be "Yes," would it?

Senator LORKE. I would like to go ahead with this transcript. I would be perfectly willing to let him see it as a matter of courtesy. It is the matter of his disapproval that I don't understand.

Senator TYDINGS. That would not deny us the right to go ahead, notwithstanding if they disapproved, but if it was illegally obtained the caveat says it cannot be used in evidence. If it were obtained, it would make it stronger.

Senator LORKE. Mr. Morris, will you give me your opinion as a lawyer on this procedure?

Mr. MORRIS. Senator, I think if we allowed Mr. Service to read this at the beginning, and if he assents to it, then the question doesn't arise. We can simply proceed. Whereas, if he objects, then we can address ourselves directly to the problem and sligt it out. I have many scruples about this whole thing. In the first place, I don't know whether it is illegal. There is a caveat there, but when the FBI men were in here they indicated very definitely that this was a microphone, that it was not a wire tap, and they would have no objection whatever to its public release.

Mr. MORGAN. On the record, I don't think the FBI ever made any such representation in our record as to that, that there would be no objection to its public release.

Mr. MORRIS. Are you taking advantage, Mr. Morgan, of the fact that we were off the record for a period?

Mr. MORGAN. I never avail myself of anything, Mr. Morris, but the truth.

Senator TYDINGS. You have answered the question for Senator Lodge. You say it would simplify the matter and ellminate the point at issue if Mr. Service and/or his attorney would agree to its reading.

Senator LORKE. You don't object to this proceeding?

Mr. MORRIS. I don't. But I want to be sure I make those reservations on my own behalf, that we do not accept the caveat.

Senator TYDINGS. We are going to put it in anyway. It doesn't make any difference. But it is a whole lot better to get the assent of the two people over here. There is no question about that.

All right; give it to Mr. Rhett to read and let us get his opinion.

Mr. RHETTS. Might I inquire, sir, whether this purports to be a verbatim transcript of the entire conversation of that morning?

Senator TYDINGS. That is my understanding. If you will start at the beginning you will see why it isn't longer than it is.

Mr. RHETTS. It is not mere excerpts?

Senator TYDINGS. It is not mere excerpts.

(Messrs. Rhett and Service read the document under discussion.)

Mr. RHETTS. While I recognize that you are not interested in the pros and cons that go through my mind on this, I want to preface my statement by reiterating what we have said throughout, namely that to the extent that the committee has or that there exists some accurate transcription of the conversation, we have said throughout that we would like to cooperate with the committee and certainly let the committee hear it. My difficulty with this paper here is that it really reinforces my instinct before seeing it, namely, that the record is the real thing that this committee ought to listen to.

This paper bears—in the first place, it is for the most part unintelligible. In the second place it is internally inconsistent and, as I say, largely gibberish. It makes no internal sense.

I am therefore understandably reluctant to consent to the introduction of this with any implication or suggestion that this is an accurate transcription of a conversation. I really think that, upon examining it, you will see that from the point of view of the committee's use the thing you ought to have is the record, so that we can see whether it does make any sense.

Senator TYDINGS. Mr. McInerney, how long will it take us to ascertain whether or not a record is available?

Mr. McINERNEY. I have called already to ascertain that. I should get a call here in a minute or two.

Senator TYDINGS. There isn't any question in the world about it, that the best evidence, the accurate evidence and the most reliable and the truest evidence, would be the record itself, that carries the voices, and there can't be any question about that, this, or the other. Therefore I am reluctant to make any observations about this piece of paper until we find whether or not we can get the record, and I certainly hope that the situation is such wherever you have to look for it that they can tell us "Yes" or "No" very soon, because we don't want to wait here all morning on it. Would you get after them on the telephone?

Senator LODGE. Is anybody disposed to question the accuracy and the integrity of those who transcribed this piece of paper?

(Discussion was continued off the record.)

Senator LODGE. I would like to get an answer on the record as to whether anybody questions the competence of the person or persons who transcribed that piece of paper.

Senator TYDINGS. When you do read it, it might indicate its condition.

Senator LODGE. Is there anybody who questions the accuracy or the competency or integrity of the persons in the Department of Justice to write that thing down?

Mr. RHETTS. Senator, I certainly do not question the integrity of anybody in the Department of Justice who wrote it down, but I think ordinary human experience tells us it is not inappropriate sometimes to question the accuracy of an attempt to transcribe a running conver-

sation, and indeed there are places in here which simply have, in parentheses, "unintelligible."

Senator Lodge. You surprise me. I would have thought that if there was one thing the FBI could be depended upon to do it would be a technical job like transcribing a record into English on a piece of paper. If they can't be trusted to do that, what can they be trusted to do?

Mr. RHETTS. This is not a question of whether the FBI is competent to do it. The FBI is made up of human beings. It is a human problem.

Senator Lodge. Any bright girl in my office can do that if they put their attention to it.

Mr. RHETTS. Let me say this—

Senator Lodge. I am trying to find out why you object to this.

Mr. RHETTS. In the first place, I would like to say that I have no objection to the members of this committee first of all reading this paper, so that—and I think it will go a long way, Senator Lodge, to indicate to you what I have in mind—I think we are entirely agreeable that you read this document. That is point one, and I urge you to do so. I think you will then see some substance to my suggestion that this is obviously a very poor transcription of what must have been said, and I would like you to read it now; it is short, so you may see what I have in mind.

Mr. MORRIS. Even if the record is not available, it is perfectly proper for us to bring the FBI agent who made this recording here to testify as to what he did hear, and if some parts of it were unintelligible to him he can say so, but at least he will be a direct witness to the effect. If it is just simply microphone information and testimony it may well be argued that the microphone is simply the extension of the human ear, and he heard this conversation and he can be a direct witness to the conversation that took place.

So even if Mr. McInerney can't get the record, I suggest we have the FBI agent.

Senator TYNDERS. I hope we can, because that will solve this problem more than anything else we can do here this morning.

Mr. RHETTS. I am very anxious that the committee understand that I am not trying to quibble about this, and I urge Senator Lodge to look at this paper, so you can understand what I have in mind.

Senator Lodge. You are obviously an intelligent man, perfectly capable of expressing your thoughts, and I would like you to state in simple English why you do not think the FBI or the Department of Justice can be trusted to do a simple clerical ministerial thing like typing out a record.

Mr. RHETTS. I have not suggested that they cannot be trusted, Senator, but I suggest to you that a reading of the language—

Senator Lodge. I would like to get an answer to my question.

Mr. RHETTS. I will come more directly to your question. It is very difficult to get a verbatim transcript of a running conversation. I have had certainly considerable experience in that. I imagine Mr. Morgan, Mr. Morris, and Mr. McInerney have. It is not a simple matter.

Senator Lodge. It is a simple matter when you can stop the record when you are taking it down from the record and you can take your time at it. The idea that in the FBI there isn't one person who can do that accurately is simply fantastic.

Mr. RHETTS. If the recording itself is a particularly good one. There are all sorts of interfering noises which in the room at the time do not seem very loud, but which when transcribed are deafening.

Senator LODGE. You don't want to answer my question, that is all.

Mr. McINERNEY. I would say that the only margin of error in transcribing what is picked up on the record is the identification of the voices. Perhaps Mr. Jaffo may say something in a voice which the listener may interpret to be that of Mr. Service. I would say that is the only margin of error.

Senator LODGE. That is not the point Mr. Rhetts has made.

Mr. McINERNEY. I understand if they are having lunch or dinner in the room and there is loud clashing of dishes and things like that the conversation becomes broken. But that is not the situation here.

Senator LODGE. Mr. Rhetts doesn't want to answer my question.

Mr. RHETTS. I am sorry, sir; but I do.

Senator LODGE. My question is a perfectly simple one, and you always go off and talk about something else.

Mr. RHETTS. I do not intend to. It is my failure.

Senator LODGE. You do it.

Mr. RHETTS. You asked me, if I understand it, why I should think the FBI could not be trusted to make an accurate transcription of a conversation.

Senator LODGE. No, I did not—an accurate transcription of a record. It is an entirely different thing. A record you can repeat and repeat and repeat until you get it right. It is a fundamental distinction.

Mr. MORRIS. I think I see what the difficulty is. I think possibly your answer should be that the recording of the record is that, and they have made a perfect transcript of it. However, the record may not have picked up the whole conversation.

Senator LODGE. I can see how you might say that the record did not give a faithful depiction of the conversation, but for you to say that the writing does not give a faithful depiction of the record is what I can't understand.

Mr. RHETTS. I am obviously in no position to say that, because I have not heard the record. I only say to you that in view of the almost unintelligible nature of this paper, the record might very well be more helpful to us in order to get an intelligible transcription.

Senator LODGE. You are willing to have the record go in but you are not willing to have the paper equivalent go in?

Mr. RHETTS. I have not even come to the record, but I do invite you to read the paper and see if you might see my difficulty.

Senator LODGE. I would like to have you tell me why you don't think the FBI can be trusted to make an accurate transcription of a record.

Senator GREEN. It will be easier for me to follow the discussion if I can see the record which others have seen.

Senator LODGE. I haven't seen it.

I would like to get an answer to my question. Every time I stop to get an answer I am interrupted.

Senator TYDINGS. Senator Lodge has asked Mr. Rhetts a question. Mr. Rhetts, can you give the Senator an answer?

Mr. RHETTS. I will try once more. I have read this paper, Senator Lodge, and it makes very little sense. It is for that reason that I have suggested possibly the record may make more sense. I cannot explain

why this would be an inaccurate transcription of a record, but I suggest that if this is accurate, two men are talking substantially gibberish to each other, and I do not make that assumption about the two men involved. That is really why. It is the internal evidence which the paper bears that raises the questions in my mind, and I believe the same questions will be raised in your mind when you read it.

Senator Lodge. And you think it is conceivable that this paper should be gibberish but that the recording would not be?

Mr. RHETTS. It is conceivable.

Senator Lodge. Just barely, though.

Senator TYDINGS. Your point is, as I understand your colloquy with Senator Lodge, from reading this transcript of a recording, not that the transcript per se is inaccurate in reflecting what is on the recording, but that it would not be a fair representation of the conversation that actually took place because from reading the transcript which reflects accurately the recording, there seems to be so much confusion and disconnection that it is not a logical transcription of the whole conversation.

Mr. RHETTS. That is my inference.

Senator Lodge. You would therefore, to be consistent, not only object to this going into the record--this paper--but you would also object to the recording, so you are in the position of objecting to the whole business.

Mr. RHETTS. No.

Senator Lodge. Why aren't you, in view of your answer to Senator Tydings? I am not trying to harass you at all. I am trying to find out what you really mean.

Mr. RHETTS. You are not harassing me. I want to try to make clear what I mean. All I am trying to suggest is that if we are all interested, as I believe we are, in finding out really what Jaffee said to Service and what Service said to Jaffee, since this paper is pretty unintelligible, maybe we ought to see whether the record can give us any help at all. I have not objected to either this paper or the record going into the record yet. I have made the preliminary observation to the committee that this paper is not intelligible.

Senator TYDINGS. Let me see if I can, with apologies to you, Mr. Rhett, get your thought so that I may have it clearly in mind.

Just as it would be somewhat questionable to have a part of the record put in evidence, which is already the case and which necessitates the bringing of what purports to be the whole thing, if when we get what purports to be the whole thing we find that, too, is a part of a greater whole, then you think that your client might be prejudiced by having an imperfect record read here as purporting to be the whole conversation that took place when, as a matter of fact, the playing of the record itself might show obvious and apparent lapses in the conversation.

Mr. RHETTS. That is essentially my position.

Senator Lodge. Let me observe there that, if this committee follows the rule of never looking into any part unless it can get the whole, we won't investigate anything, because Senate Resolution 231 directs us to look into the question of whether there is any disloyalty in the State Department or whether there ever has been, and the whole of that is to go back to Thomas Jefferson's time; and, therefore, if you

are going to follow that rule, if you are going to be that lawyerish, we might as well saw the whole thing off right now.

Senator TYDINGS. I don't mean to take Mr. Rhetts' point of view. I simply wished to make the conversation clear in my own mind.

Senator LODGE. If that point of view prevailed, this committee could not function at all.

Senator TYDINGS. I want to repeat that I did not accede to Mr. Rhetts' point of view. I simply was stating it to get what I thought was the connotation he intended.

Mr. RHETTS. And could I, Mr. Chairman, add one further thought? Ultimately my suggestion is based on the proposition, after reading this paper, that it seems to me not at all unlikely that we might be able to give considerably more help to the committee in finding out what was said if we could hear the actual record. I can't say that that would be the fact, but it seems to me possible.

Senator LODGE. I would like to hear the record, too.

Mr. McINERNEY. They just informed me that they checked with the FBI, and the FBI states they are quite sure this record has been destroyed, but they are making a further check.

Senator TYDINGS. Let us approach this on a tentative basis, and I emphasize the word "tentative." Of course, if we can get the record we are going to send for it and play it. In view of what you have said, there is a fair chance we are not going to get the record. In the event we are not going to get the record, what is the pleasure of the committee?

Mr. RHETTS. Since I have not responded to the primary request that was made of me, I propose to do that. I was asked whether we would consent to the use of this paper by the committee, and I have not yet addressed myself to that question, because I was making what I thought was a preliminary observation.

We will not withhold our consent to the use of this paper for 1 minute. If the committee thinks that this paper is of value to it in its inquiry, we will not interpose any objection. We do suggest, as I have attempted very tactfully to point out, that the conversation as recorded here seems essentially unintelligible.

Senator TYDINGS. I make a suggestion, then, that in order to get along we proceed with the paper, and if we can get the record then, later on, we play the record back and compare it with the paper, to see if there is any difference. If there is, we will make corrections at that time. In the meantime, with your consent, I see no reason why we should not proceed with the paper.

Mr. Morgan, without objection, you may continue with your interrogation on this record.

Mr. MORGAN. I do therefore have your consent, Mr. Service, and that of your attorney, to read this into the record?

Mr. RHETTS. Yes.

Mr. MORGAN. This conversation is prefaced by this statement:

Jaffe and John A. Service entered Jaffe's room after having breakfast in coffee shop.

Senator GREEN. How do they know where he had breakfast?

Senator LODGE. Who said this? Who makes the statement?

Mr. MORGAN. Perhaps we ought to get that clear in our record.

Mr. McIntorney, can you help us as to who is responsible for this statement preceding the verbatim transcript of the conversation?

Mr. McINERNY. I assume that statement is based upon a physical surveillance of the agents watching them in the coffee shop.

Mr. Service. In any event, it is my recollection that we had breakfast in the coffee shop. I insisted on paying the bill, and we had quite an argument.

Mr. MORGAN (reading):

They listened to radio addresses by President Truman and Prime Minister Churchill.

Senator TYDINGS. So VE-day had been behind us.

Mr. MORGAN. As a prefatory statement, the parties to the conversation are identified by "S" and "J", "S" for Mr. Service and "J" for Mr. Jaffe.

Senator GREEN. Are you reading?

Mr. MORGAN. I am reading now, sir:

S. If he did it, it will be translated. Have you been trying to keep track of what the Chinese are doing at San Francisco?

J. I can't keep track of them. I'll know later on.

S. They apparently are avoiding any controversy with the Soviet Union. They are staying, hoping on the Argentina thing. And there seem to be some indications that they are trying to play up to the Russians, hoping for some sort of understanding with the Soviet Union.

J. Well, they are not talking privately as if they are.

S. Well, they certainly publicly are avoiding being placed in opposition.

Indian representatives (anyhow) (.)

J. I guess these are the only things.

S. Did you get a chance to look them over?

J. (Unintelligible.)

S. The reason I—I had the same idea out in China before I came home, that the President might be playing that sort of a game and was playing a very deep game in not revealing his hand to the Chungking government but when I got home and found out the violence and bitterness of the argument going on here, I dropped it. I mean, if so, there wasn't any reason for the State Department to be smacked down, more or less. There wasn't any reason for Hurley to be kept in the dark.

J. Well, I'll tell you what I think happened, Jack. I've been thinking about that very hard. I think that Roosevelt recognized after he appointed Hurley, that it was a mistake to appoint him, but once Hurley did his dirty work, there was nothing—would have to take time. I think that of the three big nations we are the only one in which an individual plays such a big role. It is inconceivable that a Soviet ambassador would operate as an individual but here it happens frequently. And I think Hurley put Roosevelt and the whole country on the spot and Roosevelt was trying to find a way of getting out—sending Hurley to some very important area where there was some difficulty. So I can't imagine that Roosevelt changed his ideas about China overnight, and he would have been delighted if he could have found some excuse for firing the guy, but of course Hurley put us in such a terrible spot, and has still got us on the spot where we can't move any longer without openly defying Chungking.

S. Well, what I said about the military plans is, of course, very secret.

J. Yes, well, that was talked around about—

S. That plan was made up by Wedemeyer's staff in his absence, they got orders to make some recommendations as to what we should do if we landed in Communist territory. They had several—

J. To cooperate with them?

S. Well, yes that's what we planned, and they showed me the plans they had drawn up and if we cooperated with Chungking troops if we in recovering territory, in other words, when we were in Chungking territory, we would have to go on cooperating with them. Those were the orders. But if we landed in territory where the Communists were, without any question they'd be the dominant force.

J. Why would they have to cooperate with the Communists?

S. Chungking, of course, has been putting pressure on us, trying to get us to agree to take in Kuomintang officials, government officials wherever we land. As far as we know we had not been given any power to do that. But if you get Hurley there, for Hurley to be consistent, why you'd get Hurley putting his influence probably behind—Hurley has all the way down the line only recognized Chiang Kai Shek, and our job is to strengthen Chiang Kai Shek, and to support him, and to bring all the forces in China under Chiang Kai Shek's control. If he says all this publicly, he's going to be just sitting there laughing. And he's going to have a hard time refusing to take in Chungking officials.

J. Hurley's fighting Chungking then?

S. Oh, yes.—Well, on that line of the Chinese not—with the Russians, Petroff (ph) the now Soviet Ambassador stopped in (?) and stayed for about 9 days—and Award (ph) reports that this is the first time since he'd been there that there'd been any attempt to be friendly with the Russians. All Chungking papers have been carrying practically identically the same wording, and it is obvious that it was prepared stuff and Chungking is avoiding anything derogatory, etc.

Following that verbatim quotation from the record there follows statements apparently by whoever prepared this particular statement here, and I might ask you, Mr. McInerney, who prepared the latter part of it? Was that prepared by the FBI?

Mr. McINERNEY. Yes.

Mr. MORGAN. I will proceed, then, to read this:

Jaffe tells Service about T. V. Soong's visit to Washington, D. C., recently. Jaffe and Service continue their conversation along lines of whether or not Russia will declare war on Japan. Jaffe says Russia will not do so, as they know they are not wanted by the British and the United States. Service asked Jaffe what effect Russia's declaration of war on Japan would have, and Jaffe said Russia would declare war on Japan on one of two conditions:

1. The San Francisco Conference breaks down, and Russia decides that it must settle matters of its defense in the old-fashioned way;
2. A coalition government (democratic) is formed in Chungking which would ask Russia to enter the war, which invitation Russia would accept.

(End of record.)

Mr. Service, after having read this statement, do you recall the conversation with Mr. Jaffe? Does this refresh your recollection in any way?

Mr. SERVICE. No, sir; I have no specific recollection of the conversation or of making those statements. It is over 5 years, and it wasn't a conversation that would have been particularly noteworthy at the time.

Mr. MORGAN. I notice you apparently, referring to this conversation, have asked Mr. Jaffe as to what he is doing to keep in touch with what is going on in San Francisco. I presume that refers to the United Nations Conference there?

Mr. SERVICE. I would assume so—the general attitudes of the different delegations. "Following it" I suppose meant following it in the press.

Mr. MORGAN. As I gather from what you said, you don't recall ever having asked such question?

Mr. SERVICE. No.

Mr. MORGAN. Does that mean that any questions I might ask you concerning this conversation as reported here, on the basis of your having read it and having heard it read, would not call to mind any of the particulars or the details of the conversation?

Mr. SERVICE. I don't want to seem to be quibbling, but I am afraid that is so, that I do not have positive recollection of the conversation.

Mr. MORGAN. Initially, I want to ask you about this one statement here that is attributed to you: "Well, what I said about the military plans is, of course, very secret."

Mr. McINERNEY. Excuse me. You used the word "is." I see; O. K. I was thinking of previous, the word "was."

Senator TYDINGS. He is reading it verbatim.

Mr. MORGAN. The question again, referring to this statement, "Well, what I said about the military plans is, of course, very secret."

As I read this conversation here, up to the point that you make this statement about what you said about the military plans being secret, apparently in this portion of the conversation the discussion I think by fair standards would not necessarily relate to military matters. Does this mean, perchance, that prior to your entering Mr. Jaffe's room you had discussed with him military plans, let us say, at breakfast?

Mr. SERVICE. Well, this is half of a conversation, or a continuation of a conversation which we apparently—of which we apparently do not have any record. I assume that the refers back to some discussion earlier.

Mr. MORGAN. Assuming this to be correct for the present purposes, and for the present purposes we are so assuming it, you manifestly said to Mr. Jaffe, "Well, what I said about the military plans is, of course, very secret." Now I am wondering if you have any recollection of the antecedent circumstances under which you discussed military plans with Mr. Jaffe.

Mr. SERVICE. No. I can attempt the reconstruction of what the earlier conversation may have been.

Mr. MORGAN. Would it be speculative, or would it be your recollection?

Mr. SERVICE. I am afraid it would have to be speculations based on various hints here as to what the antecedent conversations may have been.

Mr. MORGAN. Based on the hints as they are revealed to you, what would have been the whole conversation?

Mr. SERVICE. The whole conversation, not only based upon that one sentence, but the whole conversation?

Mr. MORGAN. What comments would you like to make in the light of that fact?

Mr. SERVICE. May I glance at that a moment?

There had been, I assume, a general discussion of what American policy was in China. Jaffe, I believe or assume, had been arguing that American policy was completely committed to exclusive support of one faction, and I had been pointing out my conviction from public statements and so on that that was not the case, and that we were hoping that there would be a settlement in China, accommodation between the two parties resulting in some sort of unification or working arrangements between the two. I had mentioned, for instance, there, that the Chinese were obviously avoiding any offense to the Russians in the hopes that they would be able to make some sort of arrangement with the Russians which they thought would also lead toward a settlement of the internal problems.

As refutation of what I believe was Jaffe's reasoning, I mentioned I think during this interview a statement which had shortly before

been repeated to me by a writer on the Far East who had interviewed President Roosevelt shortly before his death.

Mr. MORRIS. What was his name, sir?

Mr. SERVICE. His name was Snow, sir—Edgar Snow. He was writing at that time, and is still writing, for the Saturday Evening Post. Snow had asked President Roosevelt some questions about our policy in China, whether or not we were committed exclusively to one faction, and President Roosevelt had replied "Certainly not. We have been doing business with both sides, and we expect to continue doing business with both sides."

And I think that in the conversation with Jaffe I may have used as an example of the fact that we were trying to avoid complete commitment the fact that thinking in Chungking, in the headquarters there, was that we would probably have to expect as a matter of practicality that if we landed, although I never knew whether or not we were, we would probably have to cooperate with whatever force we found organized and able to be effective in assisting us.

Now, I don't recall ever having seen any military plan. I do have a hazy recollection that a staff officer or staff officers in Chungking consulted me at one time in regard to drawing up a memorandum recommending the policy that should be taken. I also had written several memoranda on the same subject which are included among the documents that have been presented to the Loyalty Security Board of the State Department, and it is quite possible that I may have mentioned to Jaffe that the headquarters thinking is, "As a matter of practicality we are going to have to work with whoever we find if we do that."

Mr. MORRIS. That is not a military plan, is it, Mr. Service?

Mr. SERVICE. No, sir; it is not a military plan, and I do not know whether that memorandum was ever approved formally. I think it is obvious from the second page there that there were several different alternatives drawn up, and that this was one of the alternatives.

Mr. MORGAN. You see, Mr. Service, why this is very significant to us, because here on our record is this admonition to Jaffe: "Well, what I said about the military plans is, of course, very secret." Now manifestly you must have said it to Jaffe, and manifestly what has gone before, at least in this conversation, does not enlighten us much on what you said about military plans. That is why I would like for you, as much as you can, to help us on what you did tell Jaffe, apparently prior to this admonition, which we apparently don't have.

Mr. SERVICE. I am trying to explain as well as I can, or to reconstruct as well as I can, the only kind of statement that I could have made, and the one which seems to be logically consistent with the content of this memorandum. I think that it is quite possible that I may have mentioned to him that a memorandum had been drawn up suggesting among our various alternatives that we would have to work with whatever forces we found on the ground. I was not in position in headquarters in Chungking where I had access to or had knowledge of the military plans. The only contact I had with that was when I was consulted by one of the officers drawing this particular memorandum up.

Mr. MORGAN. Would you have regarded a discussion with Mr. Jaffe of this memorandum and its contents as being military plans, in contemplation of this admonition?

Mr. SERVICE. I don't understand why I used the word "plan," because so far as I knew, it was not a final plan.

Senator LODGE. Why did you use the word "military"?

Mr. SERVICE. Well, everything military and political was tied up, but this was in a sense predominantly a military plan, although the decision would have been made here in Washington, not in Chungking, largely on political grounds, as to whether or not we would cooperate with one faction or the other.

Senator LODGE. I understand that the military and the political were mixed up at that level of the command in all the theaters of the war, but still you did use that word "military," and you must have used it for the purpose of drawing a distinction, and I am trying to see if you can tell me why you used that word "military" rather than using the word "political" or rather than using no adjective at all and just saying "plans."

Mr. SERVICE. I have no definite recollection of the conversation, even. I can't answer that right now. I did feel more qualified to talk about the political background in China than I did about anything away from the strictly political field. Certainly if I had mentioned even for background information such as this, for the sake of argument, telling this man in general what our policy was, if I got away from strictly the Chinese political scene, I would have cautioned the man against taking what I said as authoritative, or using it in any way, because I wasn't qualified to talk on those matters.

Senator LODGE. But, of course, these words of yours do not give the impression that what you were saying about military plans was not authoritative. It gives the impression that you were telling him not to reveal what you said about military plans because they were secret. That is an entirely different thing, as I am sure you will recognize.

Mr. SERVICE. I recognize that, and I chose my words in what I was saying very unwisely, because I was not revealing any military plans. I had no knowledge of the military plans.

Senator LODGE. You think you misspoke?

Mr. SERVICE. I think I misspoke; yes.

Senator LODGE. Was this material here available to the Board in the State Department that cleared you immediately or soon after the Amerasia incident? Do you know?

Mr. SERVICE. I do not know, sir.

(Discussion was had off the record.)

Senator LODGE. I would like to just ask you what your best guess is as to what you specifically had in mind when you used the word "military."

Mr. SERVICE. Well, this is just a guess, sir, an attempt to reconstruct what I might have meant by that phrase. I think that what I meant was material not connected with the purely political situation in China.

Senator LODGE. Specifically, what?

Mr. SERVICE. Such as the material I have just described earlier, that the thinking of at least some of the officers in the headquarters in Chungking was that we should preserve freedom of action by being in a position to cooperate with whatever military forces we might find in a position to help us. However, my information on that was not authoritative, it was not final; I did not know what definite plans

were. In any case, that would be background information which I would caution any man on very rigidly.

Senator LODGE. You think that is as far as you could have gone in a military way?

Mr. SERVICE. I am sure, sir, that is as far as I could have gone.

Senator LODGE. You do not think you gave them any locations of units or phase lines or troop movements or anything of that sort?

Mr. SERVICE. Let me say, Senator Lodge, that I did not have such knowledge, and I think that can be confirmed by people who were associated with me in the headquarters in Chungking.

Senator LODGE. Have you ever had any military training?

Mr. SERVICE. No, sir.

Senator LODGE. You would not understand what a lot of those things meant even if you saw them?

Mr. SERVICE. I was not used as adviser in the Chungking headquarters on military matters. I was not a member of the staff conferences that dealt with military matters.

Senator LODGE. Did you have access to the war room at headquarters?

Mr. SERVICE. I attended occasional morning briefing sessions, where we saw the situation maps.

Senator LODGE. You did? How often did you do that?

Mr. SERVICE. I only remember attending a few. Generally they gave a summary of the situation in the Battle of Iwo Jima or Okinawa. That was going on at the time. "China" seems rather inaccurate.

Senator LODGE. I am not talking about the general situation they gave you for information, like Iwo Jima or the battle in eastern Germany.

Mr. SERVICE. Those are the sessions I went to.

Senator LODGE. I am talking about the war room and the situation map insofar as it regarded the theater in which you were serving. Did you attend meetings in the war room at which actual tactical dispositions on the ground were discussed in the theater in which you were serving?

Mr. SERVICE. I remember one meeting that I went to where there was some discussion of the very small-scale fighting going on in north Burma. That would be in the theater. But it was just a day-to-day briefing of the day's situation.

Senator LODGE. Did they talk about the disposition of the Air Force, of the United States Air Force that was out there, and did you see a map showing where their fields were?

Mr. SERVICE. Well, certainly there were plenty of maps of fields. Those were well known.

Senator LODGE. I am trying to get at the question of whether you were present at these conferences that were held in every military area in which the actual operations on the map in that area were discussed. I am not talking about background lectures about what was going on in Iwo Jima or what was going on along the Rhine. I am talking about lectures about the theater in which you were working. Did you hear discussion of tactics, plans and phase lines, and all that sort of thing?

Mr. SERVICE. Not being a military man, perhaps I don't understand your question. I went occasionally to the daily briefing sessions which

discussed the situation, which included discussion of the daily situation in the theater, which was very inactive. I was never in any session where plans were discussed or future operations. It was simply a summary of the day's news.

Senator Lodge. General briefing?

Mr. SERVICE. That is right, with indications on the map where the lines were, and so on, but I have never been present at nor have I taken part in any discussion of future plans.

Senator Lodge. The theater was very inactive; wasn't it, in which you served?

Mr. SERVICE. It was most of the time; yes, sir.

Senator Lodge. Insofar as the ground warfare is concerned, it was almost totally inactive; was it not?

Mr. SERVICE. It was in the spring of 1945; yes, and of course for the most of the time I was in China in 1945 I was up in Yenan and completely separate from Chungking and had no knowledge of what was going on in Chungking.

Senator Lodge. That was just before you came over here?

Mr. SERVICE. Yes, sir, a month before I came back here.

Senator Lodge. Are you married?

Mr. SERVICE. Yes, sir.

Senator Lodge. How long have you been married?

Mr. SERVICE. Almost 17 years.

Senator Lodge. When you came here in 1945 where was your family?

Mr. SERVICE. My family was in California, where they had been during the war. I was separated from my family for almost 6 years.

Senator Lodge. When you came here, did you bring your family here?

Mr. SERVICE. There were some technical problems of bringing them here—questions of assignments and orders. They could not order my family here because I was only here temporarily, and I did not have a permanent assignment until in May, when it was possible for the State Department to bring my family here.

Senator TYDINGS. I would like to ask two or three questions.

At any time did you have in your possession while you were in the United States any military plans on paper or memoranda devoted exclusively to military matters on paper?

Mr. SERVICE. No, sir; I did not have any papers of either one of those categories.

Senator TYDINGS. Did you at any time give to Mr. Jasse any other papers than those which you have generally described heretofore in your testimony?

Mr. SERVICE. No, sir; I did not. The only papers which I gave him were my personal copies of descriptive memoranda concerned with the situation and political developments in China.

Senator TYDINGS. To what extent were you reasonably intimately informed about military matters, either in China or on your return to the United States here in Washington, apart from the political side to which you were generally assigned and to which you occupied your talents, following Senator Lodge's general interrogation there as to whether or not you were reasonably well informed when you got home by any departments here about military matters?

Mr. SERVICE. I would say that while I was physically in Chungking I was reasonably well informed concerning the actual military situation, the day-to-day developments, because I was permitted—

Senator TYDINGS. Do you mean you had general knowledge, or specific military planning knowledge?

Mr. SERVICE. I had general knowledge of the situation—situational knowledge, and not planning knowledge. After I left Chungking, sir, and was in Yenan, I had no knowledge except what we picked up over the radio news broadcast. When I returned to the United States, I had far less knowledge than I had in China. I really had knowledge only of that which I gained from reading newspapers, because as an officer on consultation I was not assigned any regular duties in the Department of State. I did not even see the daily flow of telegrams and other communications which came in. I was simply spending my time being interrogated, being questioned, talking to people about China and imparting to them whatever knowledge they wished to gain from me about China.

Senator TYDINGS. I want to ask you this very specifically: I would assume from your testimony that from time to time you had contact with a great many newspapermen, magazine writers, and people generally who were concerned with the business of transmitting public information. Is that a correct assumption?

Mr. SERVICE. That is correct, sir. That was a very large part of my assignment.

Senator TYDINGS. I would assume that these conferences took place both in China and in the United States when you were here; is that correct?

Mr. SERVICE. Continually in both places.

Senator TYDINGS. Was it a customary thing for you, when you discussed background of the kind you have before alluded to in your testimony, to say to those with whom you were talking, "You must keep this confidential" or "This is, of course, off the record," or "This is secret," or whatever connotation you would use at the conclusion of the imparting of such information as you deemed to be a part of your job to these writers, either newspaper people, magazine people, or otherwise? Did you have an general statement that you made?

Mr. SERVICE. I don't think I had any general statement. It depended on the circumstances. It was quite common, in discussing background, to caution a man that this was something which he had to keep under his hat; that he could not use; that was still secret, or something of that sort.

Senator TYDINGS. I suppose—and correct me if I am wrong—that you gave them background so that they could project the events that were happening and about which they knew more accurately because of the background you would give them against which those events would be evaluated.

Mr. SERVICE. So they could have a perspective in understanding the daily events.

Senator TYDINGS. In how many conversations with newspapermen, either in China or at home, do you think you, at the conclusion of whatever you may have transmitted, made some cautionary statement?

Mr. SERVICE. Well, a very great number of such conversations. I couldn't hazard a guess, sir, because I talked to so many people in the same general sort of way.

Senator TYDINGS. Did you treat Jaffe in more or less the same category as a man connected with a magazine that you treated the other people to whom you have background information and who were writers, or did he have some special consideration?

Mr. SERVICE. The level of a man's conversation with a writer or journalist depends on several considerations, of course. An agency reporter interested in day-to-day news you are not apt to be discussing background information with to quite the same extent as you are with the man who is writing a book or who is writing a magazine article or doing what was really a background article. Jaffe, of course, was, so far as I knew, and I treated him as such, an editor of a specialist magazine, and he was also in process of completing a book on the Far East.

Senator LODGE. Was he in good standing with the State Department Press Bureau?

Mr. SERVICE. Well, I can't answer that question specifically. I don't know that he was not in good standing, but I would say, and we have had testimony at Loyalty Board hearings to this effect, that most contacts between the State Department officers and—I use the word "correspondents" as against spot-news men—most of those contacts with the correspondents, background people, do not go through the Press Bureau, the Press Section.

Senator LODGE. But their opinion would be worth something. Mr. McDermott's opinion as to whether Jaffe was a reputable, dependable fellow would be of interest; would it not?

Mr. SERVICE. Yes; it would have been of interest.

Senator TYDINGS. Let me put it this way: Do you yourself know what Jaffe's standing was with the State Department, as to whether he was a reliable disseminator of news information from where they sat, or whether he was not; whether he was trustworthy or whether he was not? Had you received any information?

Mr. SERVICE. I had not received any information. I knew he was acquainted with various people in the Department, and in other Departments.

Senator LODGE. Who?

Mr. SERVICE. He was acquainted, of course—my first introduction to him was through a naval officer. He was acquainted with a man who was working in Lend-Lease.

Senator LODGE. I thought you said he was acquainted with people in the State Department.

Mr. MORRIS. Who was the naval officer?

Mr. SERVICE. Lieutenant Roth. And I knew he was acquainted with several other people over there.

Mr. MORRIS. Who were they? Do you mind mentioning the names?

Mr. SERVICE. He was acquainted with a man named Davies, Donald Davies.

Mr. MORRIS. John Davies' brother?

Mr. SERVICE. I knew he was acquainted with Larsen, who was working in the State Department.

Mr. MORRIS. Did you have a high opinion of Larsen?

Mr. SERVICE. At that time I had no reason for any low opinion of him. All I knew of him was that he was a research analyst working in that Division of Territorial Studies.

Mr. MORRIS. And you would take his judgment on a man; would you?

Mr. SERVICE. I certainly would not now, sir.

Senator LODGE. He is answering your question as to whom he knew that spoke well of Jaffe. It is very important.

Mr. SERVICE. I didn't say who spoke well of him. It was who I knew knew him. He knew a man in Lend-Lease named Ray; he knew a man in FEA named Barber. I knew he knew a man in the Division of Chinese Affairs named Friedman.

Senator LODGE. But you didn't know what Mr. McDermott thought about him?

Mr. SERVICE. No, sir.

Senator LODGE. You know Mr. McDermott, don't you?

Mr. SERVICE. Yes. He was in San Francisco at the time.

Senator LODGE. Mr. McDermott has been in the State Department for 80 years, and he has as current a knowledge of members of the American press as any one living man.

Mr. SERVICE. Yes. But in the far eastern field the magazine was well known, and there was nothing, so far as I knew, that was derogatory that was known about it at the time.

For instance, when Mr. Jaffe wanted to get a copy of this radio broadcast, I said, "Well, come on over to the State Department and I will introduce you to the man who handles that. I don't have anything to do with that, and I don't know whether or not it is available," and I took him to the man in the Division of Chinese Affairs in the State Department and he knew of Jaffe, he had no hesitation in giving it to him. He said, as a matter of fact, at the time, that it was available to writers and specialists.

Senator LODGE. I have another question, but I have interrupted Senator Tydings.

Mr. SERVICE. Also I knew at this time that Jaffe had had an interview with Mr. Grew, for instance.

Senator TYDINGS. I would like to get back, if you don't mind—and I welcome the interruption because it brought out some matters that I would like to see brought out—to this military thing for a minute.

You have conveyed the impression by your testimony that you were not well informed on what was going to take place militarily, any more than general information. You had no specific information. You handled no plans. You came in contact very remotely with anything in the military line. That has been the tenor of your testimony. Your testimony has been that your field of endeavor was the political side.

Mr. SERVICE. The political background.

Senator TYDINGS. What I want to ask you is this, and I want you to think before you answer it: As you think back on your conversations, refreshed in part by this memorandum, together with the chance to reflect further as questions have been put to you, was your conversation with Mr. Jaffe at this time devoted just exclusively to the political field, the matter of general knowledge which everybody had of the military field, or did you go beyond that perimeter into specified or secret or other parts of the military picture?

Mr. SERVICE. It is my belief, sir, that I was trying to orient him, and as I remember it, arguing with him to try and correct a misapprehension of his as to what general over-all policy was.

Senator TYDINGS. Politically or militarily?

Mr. SERVICE. The two cannot be entirely separated. The question of whether or not we were going to exclusively play with one crowd was intimately tied up with the question of what we would do if—

Senator TYDINGS. Let me rephrase the question, because that is what I am after and I probably did not make it specific enough.

I want to ask you whether, refreshed as you are by that memorandum, in that conversation, you did discuss with Mr. Jaffe any secret military plans per se.

Senator LODGE. Of a tactical nature, is that what you mean?

Senator TYDINGS. Of a tactical nature, thinking primarily of operations of troops.

Mr. SERVICE. I say to you, Senator Tydings, in all honesty and sincerity, that I could not have discussed any military plans of that nature with him, because I knew none.

Senator TYDINGS. I understand that. I think you have said you were not given that kind of information in the first place, but I think it is important for the record to show whether or not in spite of that you attempted to discuss it.

Mr. SERVICE. I did not.

Senator LODGE. In furtherance of your question, in the European theater they would use the word "bigot" in the technical sense, meaning those who had been cleared for the very highest military secrets. Were you in that group? I think we ought to know whether or not you were cleared for the very highest types of military secrets. I think it is very pertinent.

Mr. SERVICE. May I go off the record? I would like to make an explanation off the record.

Senator TYDINGS. For a moment, off the record. We will go back on. What is the purpose of going off?

(Discussion was had off the record.)

Senator LODGE. Were you cleared for the very most secret types of purely military information?

Mr. SERVICE. No, sir; I was not.

Senator LODGE. Were you cleared for the most secret information regarding troop movements?

Mr. SERVICE. No, sir.

Senator LODGE. Regarding dates and hours at which tactical developments would take place?

Mr. SERVICE. No, sir.

Senator LODGE. Regarding the location of guns or air fields or supply depots or other military installations?

Mr. SERVICE. No, sir.

Senator LODGE. Regarding phase lines?

Mr. SERVICE. No, sir. I do not know what that phrase means.

Senator McMAHON. There has been some suggestion or some discussion about the meaning of "military plans" as incorporated in this memorandum.

Service, according to this transcript, says, "Well, what I said about the military plans is, of course, very secret."

The next remark is that of Jaffe:

Yes. Well, that was talked around about.

SERVICE. That plan was made up by Wedemeyer's staff in his absence. They got orders to make some recommendations as to what we should do if we landed in Communist territory. They had several—

JAFFE. To cooperate with them?

SERVICE. Well, yes. That is what we planned, and they showed me the plans they had drawn up, and if we cooperated with Chungking troops, if we were recovering territory, in other words, when we were in Chungking territory we would have to go on cooperating with them. Those were the orders. But if we landed in territory where the Communists were, without any question they would be the dominant force.

What I want to find out is, Does the subsequent conversation which details the plan based upon territory that was invaded refer to this remarks of yours in which you are quoted as saying, "Well, what I said about the military plans is, of course, very secret"?

Mr. SERVICE. Yes, I think it was. My recollection is that this refers to a memorandum which I was consultant about, which was a suggestion of what policy we should follow in the event of a possible landing.

Senator McMAHON. And did you speak of that in terms of it being a military plan?

Mr. SERVICE. Yes, a staff memorandum which I saw in the preparatory stages while the officers were working on it.

Senator McMAHON. And the essence of the military plan that you discussed with Jaffe was the political decision to cooperate with the Chungking Government if you landed in Chungking territory, and with the Communist forces if they landed in Communist territory?

Mr. SERVICE. Precisely, sir, although that was not a final decision. It was merely something that was being drawn up as recommendations.

Senator McMAHON. Well now, the rest of this testimony is along the same lines. "Why would they have to cooperate with the Communists?" asks Jaffe, and you said,

Chungking, of course, has been putting pressure on us trying to get us to agree to take in Ku'mintang, Comintern, government officials, wherever we landed. As far as we know, we had not been given any power to do that. But if you get Hurley there, for Hurley to be consistent, why you'd get Hurley putting his influence probably behind—

Hurley has all the way down the line always only recognized Chiang Kai-shek. Our job is to strengthen Chiang Kai-shek and to support him and to bring all the forces in China under Chiang Kai-shek's control. If he says all this, public is going to be just sitting there laughing.

Whom did you mean by that?

Mr. SERVICE. That is incomprehensible.

Senator McMAHON. "And he is going to have a hard time refusing to take in Chungking officials."

Mr. SERVICE. We get into this area—

Senator McMAHON. That you can't identify?

Mr. SERVICE. No, sir. It doesn't seem to logically hang together.

Senator McMAHON. What I want to make clear, so I can understand it, if I can get it clear, is that you are now telling us that the statement, "Well, what I said about the military plans is, of course, very secret," referred to the military plan of cooperating with the Communists where the Communists were in control and with Chiang where Chiang was in control?

Mr. SERVICE. That is my recollection.

Senator LONG. Mr. Service, did you ever have any highly secret information regarding proposed utilization of the road net?

Mr. SERVICE. Will you repeat the question, sir?

Senator LONG. Were you ever cleared to be a recipient regarding information relative to proposed utilization of the road net in your theater?

Mr. SERVICE. I don't understand the question, sir. I don't know what you mean. The terms are not intelligible to me; I'm sorry.

Senator TRUMAN. May I take advantage of this lull? I have been called to my office, and the chances are I won't be able to get back here before lunch. Can you gentlemen meet this afternoon at 2:30 and go ahead with this? I apologize for interrupting the interrogation. We will meet at 2:30, and Senator McMahon, if you can preside, I would like for you to do it. I will be in and out, and we will go along with the interrogation. I won't be absent all the time, but I may be called out.

Senator LONG. I was trying to find out whether you were in that very small group that received highly secret information regarding proposed use of roads for military purposes.

Mr. SERVICE. No, sir; I was not.

Senator LONG. Do you remember roughly what the troop list was in your theater, in a general way?

Mr. SERVICE. It would have to be the wildest guess. I do not remember, sir.

Senator LONG. Do you remember how many American-equipped Chinese divisions there were?

Mr. SERVICE. As a matter of public knowledge the original program was, I think, 20 or 19, and it was later increased to 30, but that is just from the press, from open sources.

Senator LONG. Do you think that if you had known as much about the status of American public opinion and the realities of the American press as you knew about the realities of Chinese opinion and the Chinese press you might possibly have conducted yourself a little differently when you got to Washington in 1945?

Mr. SERVICE. Yes, sir; I certainly would have.

Senator LONG. Do you think it would be desirable for Foreign Service officers to be at least briefed and kept up to date on developments in the United States so that they won't be entirely ignorant of what is going on in this country?

Mr. SERVICE. I think, sir, that a great deal more is done now than was done in 1944 and 1945.

(Discussion was continued off the record.)

Mr. MORRIS. May I ask a question in connection with this paper?

Mr. Service, when you make the statement—

That plan was made by up Wedemeyer's staff in his absence. They got orders to make some recommendations as to what we should do if we landed in Communist territory. They had several—

and then there is a break, and again you say—

Well, yes, that is what we planned, and they showed me the plans they had drawn up, and if we cooperated with Chungking troops, et cetera.

Weren't they talking about particular plans there, Mr. Service? Weren't you talking about particular plans made up by Mr. Wedemeyer's staff?

Mr. SERVICE. My recollection is only that I discussed it with some officers working on the memoranda.

Mr. MORRIS. You said, "They showed me the plans they had drawn up."

Mr. SERVICE. My recollection is I was simply speaking of the memoranda they had drawn up as to possible alternatives. They came and talked to me because I had also written some memoranda on the same subject.

Mr. MORRIS. Wedemeyer is a military man; Wedemeyer's staff is military men?

Mr. SERVICE. Yes, sir.

Mr. MORRIS. And if they showed you a plan in all likelihood it would be a military plan, or at least partly military?

Mr. SERVICE. It was a military plan that involved highly political implications.

Mr. MORRIS. That is true. I grant you that.

Mr. SERVICE. It was not a specific plan in the sense of movements of troops or numbers of troops. It was simply a memo suggesting policy under such and such circumstances.

Mr. MORRIS. So you do recall what happened?

Mr. SERVICE. I have a vague recollection, as I have said, of some of the officers coming to me and showing me the memorandum on which they were working. It was a brief memorandum, in my recollection. It is very, very hazy now.

Mr. MORRIS. Who were the men on Wedemeyer's staff who showed it to you?

Mr. SERVICE. I don't remember.

Mr. MORRIS. You remember what was the plan and you don't remember who showed it to you?

Mr. SERVICE. I don't recall with any clarity or completeness what was in it. It was simply a policy memorandum on what our policy would be with several alternatives. It was not final, it was not approved. General Wedemeyer was away. In any case, final policy would have to be approved at the highest level here in the United States.

Mr. MORRIS. But a plan drawn up by a military staff—that is a military term—would not be a supposititious thing.

Mr. SERVICE. I think, Mr. Morris, my use of the word "plan" was an extremely loose one, and in its context a very unfortunate one. As I told Senator Lodge, I misspoke. My recollection of this is simply a policy memorandum of what should be our policy under such and such circumstances.

Mr. MORRIS. Yet you say, "Well, yes, that is what we plan, and they showed me the plans they had drawn up." That is something more than supposititious policy, isn't it, "the plans that they had drawn up"? They are talking about particular plans already accomplished.

Mr. SERVICE. I am not a military man, and I have used these terms extremely loosely. It was not any positive plan. I have never at any time seen any military plan for landing operations.

Mr. MORRIS. May I make a recommendation to the chairman that we try to determine, if possible—here there is reference to Wedemeyer's staff, and the time is pretty well defined—that we make an

effort to find out from Wedemeyer's staff as then constituted what plans were shown to Mr. Service? At least we will make an effort. I think that is pertinent, don't you, Senator?

Senator LODGE. I think that is a fair request, Mr. Chairman, that the committee counsel address an inquiry and see whether they have such a record, and if they have it, we ought to know it.

Senator GREEN. Is that the consensus of opinion? Am I supposed to be acting as chairman?

Senator LODGE. I have just made an appeal to you, Mr. Chairman, that Mr. Morris' request that the committee counsel obtain for the committee a statement gleaned from the records of General Wedemeyer's headquarters as to what persons were shown these military plans, if they have such a record.

Senator GREEN. Is there objection? If not, counsel is so instructed.

Mr. MORRIS. When you returned from Chungking, by what route did you come?

Mr. SERVICE. I came back via India and north Africa.

Mr. RHETTS. You are talking about 1945 now?

Mr. MORRIS. Just prior to this incident.

I just broke in there while we were talking about this particular thing.

Senator LODGE. I would like you, Mr. Morris, to ask whatever questions you want to ask.

Mr. MORRIS. You never discussed future plans with Mr. Penfield, did you?

Senator McMAHON. Mr. who?

Mr. MORRIS. We had testimony on Friday, and in fact I would like to reintroduce into the record at this point a letter Mr. Penfield has written to Mr. Service, to the effect that they were trying to work out a safe way of communicating with each other. I think the stenographer has it. Mr. Service certainly knows who Mr. Penfield is, because we had extensive testimony about a particular letter Mr. Penfield wrote to Mr. Service, in which they were trying to determine some safe way to communicate.

Mr. RHETTS. If you are going to reintroduce it, reintroduce the identification as to who Mr. Penfield is.

(Discussion was off the record.)

Mr. MORRIS. I think Mr. Service recalls very well the letter I am talking about. In that letter Mr. Penfield mentions that he is a Future Plans officer.

Mr. SERVICE. He was attached to, perhaps, the Plans Section.

Mr. MORRIS. He said particularly, "I am a Future Plans officer."

Did you have any discussions with Mr. Penfield?

Mr. SERVICE. No, sir. I did not receive that letter from Mr. Penfield until after my return to the United States, and I don't believe I ever wrote to him. I had not seen him for over a year previous to that time, and I didn't see him until long after that.

Mr. MORRIS. Had he communicated with you in any other way?

Mr. SERVICE. No, sir.

Mr. MORRIS. That was the only letter you received?

Mr. SERVICE. Yes, sir.

Mr. MORRIS. Even though he said you would have to work out a safe plan to communicate with each other?

Mr. SERVICE. That letter was taken by General Wedemeyer to Chungking, and did not reach me—it was written on the assumption that I would be remaining in China, and it would be beneficial to him if he could receive copies of those background memoranda which I was writing on the political situation in China, and that was the only reason, I think, that he wanted whatever copies of my memoranda I would be able to send him, because they were giving current information on the situation in China. But I never had any occasion to discuss plans with him at all. I never actually discussed anything with him or communicated with him during this period.

Mr. MORRIS. I think you were asking questions, Mr. Morgan.

Mr. MORGAN. Go ahead with your questioning, Mr. Morris.

Mr. MORRIS. I have finished. I just wanted to ask those questions about that particular section of the transcript. I have other questions, but they are not related to that transcription.

Mr. MORGAN. I do want some indication on the record as to what this specific request was that was made of the chairman. I unfortunately stepped out at the moment. I suppose, Mr. Morris, being on the staff, you will indicate specifically what it is you want in connection with the question you asked Mr. Service, in order that we can intelligently make an inquiry from the appropriate officials in Washington.

Mr. MORRIS. I say, from reading the transcription, it was apparently definite that Mr. Service was talking about some particular plan that had been shown to him by some members of General Wedemeyer's staff. Since we are talking about a particular plan that was at the time in existence, I suggested that we make a reasonable effort to determine what the plan was.

Mr. MORGAN. We will make the request. I just wanted to make clear whether we needed to develop any other information to make our search more intelligible at this time. Do you feel we have all the information we need to get this now?

Mr. MORRIS. I think we should check with Wedemeyer's staff at the time, and not confine ourselves strictly to the record, to see if they recall the incident.

Mr. MORGAN. Being on the staff, I would appreciate your assistance in helping us develop that information.

Now, Mr. Service, a question I would like to ask you about here that I was not clear on. Jasse says, "Hurley's fighting Chungking then?"

And Service's reply is, "Yes."

Mr. SERVICE. I'm sorry; it doesn't make sense. I don't know what it means.

Mr. MORGAN. That is what I was disturbed about, on the basis of your prior testimony. In what sense doesn't it make sense?

Senator GREEN. In what sense does it make no sense, then?

Mr. SERVICE. He might have said logically, and I am only trying to reconstruct and I have no positive recollection, "Then Hurley is fighting Chungking's battles?" or "Hurley is fighting for Chungking!" Those are things that possibly a hearing of the record might help us to bring out. I am not sure. I might be able to understand something that the stenographer, trying to transcribe it, was unable to catch. I am not sure.

Senator McMAHON. May I break in with one question?

Senator GREEN. Yes; go ahead.

Senator McMAHON. Mr. Service, did you ever write a memorandum expressing your opinion on the specific question as to whether or not cooperation should be had with the Communists on landings in Communist territory and with Chiang Kai-shek in Chiang's territory?

Mr. SERVICE. I did not write a memorandum specifically on that subject, sir, but there is some general reference to the problem in at least two memorandums which I wrote.

Senator McMAHON. Were those two memorandums the ones you gave to Mr. Jaffe?

Mr. SERVICE. No, sir. I believe they were not. One of them is a memorandum which I drafted with Mr. Ludden on February 14, 1945.

Mr. MORRIS. Will that go into the record?

Mr. RHETTS. On that question, Mr. Morris, this is one of that whole series of 125 documents which have been used and are exhibited in the Loyalty Board proceedings, of which we have said we hoped and affirmatively desired be made available to this committee by the State Department, but we have no authority to do that.

Mr. MORRIS. I will just request it, inasmuch as we are going to take an extract out of the whole thing for the record.

Mr. SERVICE. I see this does not mention the disposition of forces in any landing operations. It is addressed to the general problem of keeping ourselves free to use all forces who can assist in the defeat of Japan.

Senator McMAHON. That would be a natural corollary of that.

Mr. MORRIS. Will you identify it further, so it can be produced?

Mr. SERVICE. It is a memorandum on the subject Military Purpose of Our Far Eastern Policy, dated February 14, 1945, signed by Raymond P. Ludden and John S. Service.

The first paragraph states:

American policy in the Far East can have but one immediate objective, the defeat of Japan in the shortest possible time with the least expenditure of American lives. To the attainment of this objective, all other considerations should be subordinate.

It is rather difficult to summarize, but I point out the hampering effects of working only with one party, and I go on to say that at present there exists in China a situation closely paralleling that which existed in Yugoslavia prior to Prime Minister Churchill's support of Marshal Tito. That statement was as follows:

The sanest and safest course for us to follow is to judge all parties and factions dispassionately by the test of their readiness to fight the Germans and thus lighten the burden of Allied troops. This is not a time for ideological preferences for one side or the other.

That was quoting Mr. Churchill.

I go on to say:

A similar public statement issued by the Commander in Chief with regard to China would not mean the withdrawal of recognition or the cessation of military aid to the Central Government. That would be both unnecessary and unwise. It would serve notice, however, of our preparation to make use of all available means to achieve our primary objective.

Now, in another paper which Mr. Ludden and I prepared just prior to this, we summarized at the suggestion of General Wedemeyer all of the various factors that made it wise for us to keep ourselves in a flexible position and ready to use and able to use any forces that could be of substantial assistance to us, and in that Mr. Ludden and I

listed the problems which might confront us if there were any landings of the coast of China, of being in a position to use whatever forces we found organized and able to give us effective support.

Senator McMAHON. What was, if you know, General Wedemeyer's position in this controversy?

Mr. SERVICE. I do not know. He was interested in having our statement of the problem.

Senator McMAHON. In military developments what policy was chosen?

Mr. SERVICE. I also do not know what policy was finally chosen. There never were any landings, and the situation actually never arose.

Senator McMAHON. That is what I wanted to get in the record. My memory was sure that the problem never arose because there were no landings, but I wanted to make sure that on the record that was stated, because I thought possibly there might have been some brief skirmishes which I did not remember.

Mr. SERVICE. I do not know what the final policy was, or whether any final policy was adopted.

Mr. MORGAN. Incident to my contemplated interrogation with respect to this conversation between Mr. Service and Jasse, I believe a great many of the questions which I had in mind have already been discussed. However, since Mr. McInerney is here, and in order that our record may be somewhat complete on this matter, can you indicate for our record, Mr. McInerney, as to how long the transcript of this conversation has been made available to you, or how long it has been available to you in the Department of Justice?

Mr. McINERNEY. That transcript which you have before you was made available to us last week, I believe on June 21, and it was made available to us pursuant to your request for it.

Mr. MORGAN. What I want to know, Mr. McInerney, if you can help me, is whether you and Mr. Hitchcock at the time of the handling of this matter from a prosecuting standpoint in 1945 were cognizant of this conversation?

Mr. McINERNEY. This conversation was contained in the summarization and contained in an FBI report dated approximately June 1, 1945.

Mr. MORGAN. Does the summarization accurately reflect the substance of this conversation?

Mr. McINERNEY. I would say generally, yes. It is incomplete, but speaking generally I would say so.

Mr. MORGAN. Did it indicate to you, on the basis of the summary which we do not have before us, that Mr. Service had said he had passed on military plans to Mr. Jasse?

Senator GREEN. That does not appear in the transcript, either.

Mr. MORGAN. The statement to which I am referring, Senator, is the one we have been referring to this morning, in which Mr. Service purportedly said, "What I said about the military plans is, of course, very secret."

Mr. McINERNEY. I would say in response to your question that it contained no more than the transcript you have before you, and perhaps a little less, because it was a summarization.

Mr. MORGAN. Thank you.

Senator McMAHON. Did you know when you received this advice in 1945 that this was secured by an intercept?

Mr. McINERNEY. From the face of the report it was described as coming from a confidential informant.

Senator McMAHON. It was the choice of that and that they had somebody under one of the desks?

Mr. McINERNEY. You could speculate along those lines, although I must admit that I knew from my experience that such was not the case.

Senator McMAHON. I think that was a fair deduction from the physical set-up, that it was probably by wire instead of by eaves-dropping.

Mr. MORRIS. Mr. McInerney, if there had been a direct microphone in the apartment, a direct microphone intercept, would you have proceeded to consider that as evidence admissible in court?

Mr. McINERNEY. Apart from its inadmissibility, it had been received by us with the caveat which was read by the chairman at the commencement of the session here.

Mr. MORRIS. Who wrote the caveat?

Mr. McINERNEY. The FBI. It is the FBI caveat.

That is from the FBI memorandum of May 29, 1945, introducing the case to us.

Mr. MORGAN. Is that the caveat reading,

Most of the foregoing information regarding the contacts made by the various principals and the documents which were exchanged were obtained through highly confidential means and sources of information which cannot be used in evidence.

Mr. McINERNEY. That is correct.

Mr. MORRIS. Is that an FBI or Justice Department caveat?

Mr. McINERNEY. That is an FBI caveat.

Senator GREEN. Does that end that line of questioning?

Mr. MORGAN. I believe so.

Senator GREEN. It is 1 o'clock. I believe we had better take a recess until half past 2.

(Whereupon, at 1 p. m., a recess was taken to reconvene at 2:30 p. m. of the same day.)

AFTERNOON SESSION

(The hearing was resumed at 2:45 p. m., Senator Green, acting chairman of the subcommittee, presiding.)

Senator GREEN. I think we had better proceed, Mr. Morgan. Have you any further questions?

Mr. MORGAN. I think, Mr. Chairman, at the last session I had directed a few questions to Mr. McInerney, and I would like to ask him this general question with respect to this transcript of the conversation, as to whether the method in which that transcript was obtained had any bearing upon the handling of Mr. Service's case from the prosecutive standpoint.

Mr. McINERNEY. I would say—

Senator GREEN. I think if you came over here and sat down at the foot of the table, it would be better.

Mr. McINERNEY. I would say that it did not, since this transcript was not available to us from an evidentiary standpoint, and we reviewed it solely from the standpoint of background material.

Since it could not be used before the grand jury or otherwise, I would say that it did not have any bearing on the prosecution in this case with respect to Mr. Service.

Mr. MORGAN. I believe those are the only questions that I have to direct to Mr. McInerney, and the only questions that I have for the moment I have asked Mr. Service already, so the questioning, Mr. Chairman, you can turn over to somebody else.

Senator GREEN. Senator Lodge?

Senator LODGE. Yes, Mr. Chairman.

I understand that there were six FBI reports about Mr. Service dated December 28, 1948, February 10, 1949, March 10, 1949, April 4, 1949, August 9, 1949, September 7, 1949, and September 21, 1949.

I wonder if we could have copies of those reports, Mr. McInerney?

Mr. McINERNEY. I would have to take that up with Mr. Ford, Senator. I would assume that they would not be available, sir.

Senator LODGE. Well, I would like to make a motion, Mr. Chairman, that we request that those FBI reports about Mr. Service be made available because they are obviously extremely pertinent to this whole matter in contemplation.

(Discussion off the record.)

Senator LODGE. I have made a motion which I would like to have the chairman put.

Senator GREEN. There are only two of us here, and I do not know whether we can act.

Senator LODGE. Would you object to getting those?

Senator GREEN. No, I would be glad to join Senator Lodge in his request, but I think we would have to leave it for the others of the committee also.

Senator LODGE. Did you want to make an observation, Mr. McInerney?

Mr. McINERNEY. I was going to ask whether Mr. Service's loyalty file is included.

Senator LODGE. I do not know.

Mr. McINERNEY. I wonder if you have had access to those reports.

Senator LODGE. I will have to ask Mr. Morgan the question.

Mr. MORGAN. Whether Mr. Service's files is among the 81?

Senator LODGE. Whether it is among the 81.

Mr. MORGAN. That were examined by the committee at the White House? Probably not. I would have to check. As I recall the list of 81 names, Mr. Service's name was not on it.

Senator LODGE. Have you not read all of the 81 files yourself?

Mr. MORGAN. I have not read one of them, Senator.

Senator GREEN. They have not been available to him.

Senator LODGE. I would like to ask Mr. Service to tell the committee the time and place of his meeting with Lauchlin Currie in 1945.

Mr. SERVICE. That is a difficult question—

Senator LODGE. What is that?

Mr. SERVICE. That is a difficult question to answer in detail because I am not sure how many times I saw him, but I have no recollection of meeting him in 1945 at any place other than at his office.

Senator LODGE. In what city?

Mr. SERVICE. In Washington, D. C. His office was in the old State Department Building.

Senator LODGE. How many times did you see him?

Mr. SERVICE. I am sorry, I am not sure whether it would be two or three times, perhaps.

Senator LODGE. What did Mr. Currie tell you?

Mr. Service. It is extremely difficult after all this lapse of time to remember these events in any particular detail.

Senator Lodge. Well, if there are important events, you certainly ought to be able to remember the gist of them.

Mr. Service. I have an idea that the first time I saw him was probably fairly soon after I arrived back here in April, and that would be just general conversation, the situation in China, and he probably told me something about what he was doing, but I think he was working on German assets in Switzerland.

Senator Lodge. Did he not ever give you any assignments?

Mr. Service. Not in 1945, sir.

Senator Lodge. At any time did he give you any assignments?

Mr. Service. I am not sure what you mean by "assignments," did he—

Senator Lodge. Did he give you instructions, tell you things that he wanted you to do?

Mr. Service. Well, at one time in 1943, I think it was, he expressed a hope that I would be able to write letters to him occasionally, write directly to him.

Senator Lodge. Did he never tell you to go to any particular place?

Mr. Service. No, sir; I do not recall his ever telling me to go to any particular place!

Senator Lodge. Did he tell you to go to see any particular person? (Mr. Service consults with counsel.)

Mr. Service. On one occasion he asked me to talk to Drew Pearson.

Senator Lodge. With what purpose?

Mr. Service. Just to give Mr. Pearson some background information.

Senator Lodge. Is that the only person that he ever asked you to talk to?

Mr. Service. No, 1945 there was a question of whom I should retain for my counsel, and he suggested that I talk to Mr. Corcoran as being a person who might be a good person to advise me on the question.

Senator Lodge. You saw him after the Amerasia case broke?

Mr. Service. That was after the Amerasia case.

Senator Lodge. Did you go to see him to get advice?

Mr. Service. Mr. Currie?

Senator Lodge. Yes.

Mr. Service. Yes, I went to him to talk to him about it, see what his advice was. I was talking to a great many people I knew then, and almost everybody had different advice on this question of counsel whom I should retain.

Senator Lodge. And you sought him out to get his advice, is that right?

Mr. Service. That is correct, sir.

Senator Lodge. What did he say that he could do for you?

Mr. Service. He did not say that he could do anything for me. He suggested that I talk to Mr. Corcoran.

Senator Lodge. Did Mr. Currie ever do anything for you?

Mr. Service. Not that I know of, except to suggest that Mr. Corcoran would be a person who would be able to advise me on this problem of counsel. Mr. Corcoran advised me to retain the counsel whom I had already provisionally retained, Mr. Munter.

Senator Lodge. Where is Mr. Currie now, do you know?

Mr. SAVAGE. He has been employed, I think, with the World Bank. I am not sure whether he is still in Washington or not.

I saw in the newspapers, I think, that he had accepted some appointment to go to some South American country, perhaps Colombia.

Senator LORON. Reading through this testimony, Mr. Chairman, it seems to me that there are five persons whose names appear, and who may have something of value to tell this committee about the Amerasia case, Mr. Bannerman, Mr. Braunlicht, Mr. Hartfield, Mr. Geiger, and Mr. Currie, and I suggest that they be called for questioning.

Mr. MORRIS. Who is Mr. Geiger, Senator?

(Discussion off the record.)

Senator LORON. I have just been reading through the testimony which was taken while I was away. I would add the name of Mr. Currie who was considered by some people to know a good deal about this subject.

Senator GREEN. Mr. Morgan, do you wish to say something?

Mr. MORGAN. Mr. Bannerman, Mr. Hartfield, Mr. Currie, Mr. Braunlicht—his name appears in the testimony.

Mr. MORRIS. Yes, but not in connection with Amerasia.

Senator LORON. It does not?

Mr. MORGAN. I do not think that is true with respect to Mr. Geiger. I do not believe our record has anything about him concerning Amerasia. Geiger, as I understand it, has been or is an employee of ECA.

Senator LORON. I know, but I thought he had a connection with this case.

Mr. MORGAN. Not to my knowledge.

Senator LORON. If he has no connection—I thought the evidence indicated that he did have a connection with this case, but if he has not, then I do not want to call him.

Senator GREEN. So the three names are?

Senator LORON. Bannerman, Hartfield, and Currie; and if Geiger and Braunlicht have no connection with the Amerasia case, then I do not want to bother to call them.

Mr. McINERNEY. Mr. Chairman, if you are through with the discussion of the record, which I came here to be helpful on and in answering any questions concerning it, if the questioning with regard to that record is complete, why, I can leave, since it would appear as if you are going into other matters.

Senator GREEN. Have you any further questions? Are there any further questions of Mr. McInerney?

Senator LORON. I have some questions here about this Amerasia case. I have got a question I would like to ask Mr. McInerney.

Testifying on May 4, before this subcommittee, Mr. McInerney said with reference to the documents found in the offices of the Amerasia magazine, and I quote—I am making a partial quotation:

I would say with respect to all these documents that they were of an innocuous, very innocuous character. These things impressed me as being a little above the level of teacup gossip. Classification of documents in this case was nothing short of silly.

Now, the question presents itself to me, by what right and with what justification does the Department of Justice presume to pass on whether a document is properly or improperly classified by some other agency or department of the Government?

Mr. McINERNEY. I would say that generally speaking the classification of a document of another agency is not the business of the Department of Justice, and I think, perhaps, what I was trying to say there was to indicate the relationship between those documents and the national defense as the words "national defense" are used in the espionage statutes; and under the law, the relationship between a particular document and the national defense is a question of fact for a juryman to decide, and it is not a question of fact or of law for the agency to decide, and I believe I illustrated my point at that time by alluding to the trial at Hartford of Draper and Adler, in which I said that the judge at that trial refused to accept the designation of the Attorney General as to an organization's being subversive or not subversive; so it was in that light against that background that I made that statement, sir.

Senator Lodge. Well, do you think that the Department of Justice personnel are sufficiently trained in making decisions regarding the importance of military matters to be able to say whether a military document is properly classified or not?

Mr. McINERNEY. I do not believe so, sir.

Senator Lodge. Is it not true that a document to a person who has no military training may appear silly, but to a person who has military training it is not so silly at all; is that not true?

Mr. McINERNEY. Yes, sir.

Senator Lodge. I have nothing more from Mr. McInerney.

Senator GREEN. Then you may be excused unless Mr. Morgan or Mr. Morris have any questions.

Be mindful of that request that we have made, and let us know the reply.

Mr. McINERNEY. About the records, sir.

Senator GREEN. Yes.

Mr. McINERNEY. Yes, sir.

(Mr. McInerney withdrew from the room.)

Senator GREEN. Are you ready, Mr. Morris?

Mr. MORRIS. Yes. Is it my turn now?

May I just pursue the line of questioning that Senator Lodge instituted there?

Did you go to see Mr. Corcoran after Lauchlin Currie had recommended it?

Mr. SERVICE. Yes.

Mr. MORRIS. What did he say?

Mr. SERVICE. He recommended that I retain the lawyer I had already provisionally retained.

Mr. MORRIS. Did he give you any other advice?

Mr. SERVICE. No.

Mr. MORRIS. Was there anybody in addition to Mr. Corcoran that Mr. Currie asked you to go to see? There were some others, were there not? Did you go to see David Niles in this connection?

Mr. SERVICE. No; never have met David Niles, so far as I know.

Mr. MORRIS. I wish you would recall very carefully, Mr. Service. Did you go to see anybody else in this connection?

Mr. SERVICE. Well, I went to see and talked to a great many people.

Mr. MORRIS. Would you tell us who some of them were?

Mr. Service. Friends of mine. I talked to Ambassador Gauss who was an old friend of mine, my former chief. I talked to most of my associates.

Mr. Morris. Did you speak to Owen Lattimore about it?

Mr. Service. I don't recall seeing Owen Lattimore after my arrest at all. No; I don't recall speaking to Mr. Owen Lattimore about it.

Mr. Morris. Could you tell us some of the other friends of yours whom you discussed the matter with, particularly Government officials?

Mr. Service. That is a very difficult question. All of my friends were interested in my situation. They were interested in knowing whether or not they could help me; interested in knowing what my situation was; almost everybody asked me something about the case.

Mr. Morris. Whom did you seek out?

Mr. Service. Well, I talked to Judge Helmick who used to be judge of the United States Court for China, and who was in Washington at that time.

I spoke to Mr. John Carter Vincent who was a man whom I worked under in China, and was at that time head of the Division of Chinese Affairs.

I talked briefly to Mr. Seldon Chapin, who was the Director of the Office of Foreign Service.

Mr. Morris. Anyone else?

Mr. Service. Those are the principal ones.

As I say, it is hard to make an inclusive list of all of the people whom I talked to about the case.

Mr. Morris. Mr. Service, in open session the other day you testified that you did not recall the name of Anna Liese Wang.

Mr. Service. Yes; I was going to raise that. We said we were going to raise that ourselves. I was thinking of it after you interrogated me the other day, and I recalled that I know a woman whom I had always thought of as Anna Wang, but I never knew her middle name. I always thought it was a German woman. She is married to a Chinese.

Mr. Morris. I see.

Mr. Service. But she was out in China, and if she is a white woman, she always—

Mr. Morris. I did say she was Chinese.

Mr. Service. But I do know an Anna Wang or did know Anna Wang.

Mr. Morris. Did you ever give her access to your file?

Mr. Service. Certainly not, sir.

Mr. Morris. Certainly not?

Mr. Service. Yes. What sort of file?

Mr. Morris. Well, the official records in your office.

Mr. Service. No.

Mr. Morris. Was a complaint lodged against you on that score, Mr. Service?

Mr. Service. Not that I have any recollection of.

Mr. Morris. Would you give the committee here just a brief outline of your association with Mrs. Wang; you know, just the extent of it?

Mr. SERVICE. Well, she was the wife of a Chinese named Wang Ping-nan, who was ostensibly the representative in Chungking of a Chinese general named Yang Hu-ching. It was known to us that Mr. Wang worked fairly closely with the Chinese Communists, and eventually some time subsequent to my departure from Chungking after the war, actually he came out openly as a member of the Chinese Communist representative's office.

Now, I had very little direct contact with Mrs. Wang. Mr. Wang was an intelligence source, and I had occasion to see him fairly frequently in my work.

Mrs. Wang was acting part time, I believe, as a sort of secretary to Madam Sun Yat-sen who, of course, is the widow of Dr. Sun Yat-sen, the patriarch of the Chinese revolution, and the first leader of the Kuomintang.

Mr. MORRIS. She is not with the Chinese Communists?

Mr. SERVICE. I have no knowledge; I have not heard of her since I left China. I have not had anything to do with her since I left China over 5 years ago.

Mr. MORRIS. How freely did you discuss political matters with Mrs. Wang?

Mr. SERVICE. I don't think I discussed them with her at all. As I say, I had very little contact with her; it was incidental.

Mr. MORRIS. There are a couple of other names I want to ask you about in connection with the Amerasia case.

(Mr. Service consults with counsel.)

Mr. SERVICE. Well, I did have occasion once to report to G-2 that she seemed to be very friendly with some American enlisted men.

(Mr. Service confers with counsel.)

Mr. SERVICE. Well, the point is that as part of my work with headquarters I would advise—I was called in for consultation by G-2 occasionally on reputation and security risks of contact by our enlisted men with certain women in Chungking city. I had some occasion to report to G-2 that Mrs. Wang was, in my view, a poor person for some of our military staff to be contacting too closely, shall we say.

Mr. MORRIS. Did you ever discuss your difficulty in the Amerasia case with Ben Cohen?

Mr. SERVICE. After the whole case was finished, after I had thought it was finished, after the announcement of the grand jury decision, several days went by with no public announcement as to what action had been taken by the State Department in regard to my reinstatement or return to active duty.

I am not sure of the exact date, but it seems to me the grand jury's decision was announced on the 10th of August. At about the 13th or 14th—at any rate some days later—I think the Washington Post published a brief editorial raising the question, "What's happened to this man who had a no-true-bill returned against him? Has the Department of State reinstated him or not?"

So I went to Mr. Cohen, who was the counselor of the Department, and I showed him the editorial, and I asked him whether the Department of State expected to make any announcement since I had already, in fact, been reinstated, and it was fairly soon after that that some announcement was made, the letters being published from Secretary Byrnes and Under Secretary Grew. That is the only time in that period that I met Mr. Cohen, and the first time I had met him.

Mr. MORRIS. Well, now, when you met Mr. Corcoran, was Mr. Currie at the meeting?

Mr. SERVICE. I don't believe so; no, sir.

Mr. MORRIS. Did you confer with the attorneys in the Department of Justice in this matter at all?

Mr. SERVICE. My counsel and I, Mr. Munter and I, called on Mr. McInerney in connection with my request to appear voluntarily before the grand jury. I believe that we talked to him only once.

Mr. MORRIS. You spoke with whom then?

Mr. SERVICE. Mr. McInerney.

Mr. MORRIS. Did you ask to appear before the second grand jury, or did the second grand jury call you?

Mr. SERVICE. I don't remember having any knowledge at the time that there had been a first grand jury.

Mr. MORRIS. You appeared before only one grand jury?

Mr. SERVICE. Only before the second grand jury, and that was only at my request. I don't think that we knew that the first grand jury was meeting.

Mr. MORRIS. Did you know before you appeared before the grand jury or did you have any reason to believe before you appeared before the grand jury, that you would not be indicted?

Mr. SERVICE. I was confident that I was innocent.

Mr. MORRIS. Did anyone assure you that you were?

Mr. SERVICE. I was confident in my own mind.

Mr. MORRIS. Did you receive any assurances other than from your own conviction?

Mr. SERVICE. Of course not; none whatsoever, sir.

Mr. MORRIS. And nobody intimated to you that you were going to be cleared?

Mr. SERVICE. No, sir. I don't see how anyone could.

Mr. MORRIS. Is it your testimony that you were not advised before you appeared before the grand jury that everything would be all right? I wish you would think very carefully on that.

Mr. SERVICE. That everything would be all right?

Mr. MORRIS. Think very carefully, Mr. Service, because it is an important question.

Mr. SERVICE. Who was supposed to have made such a statement?

Mr. MORRIS. I asked you the question.

Mr. SERVICE. I don't recall any such statement as that. Both my lawyer and Mr. Corcoran were extremely hesitant to allow me to appear. I suppose that lawyers naturally would hesitate to allow any person to waive immunity and appear. Mr. Munter finally agreed to allow me to appear.

Mr. MORRIS. Why did he change his mind, Mr. Service? Did Mr. Currie make any assurances to him or to you that you should appear?

Mr. SERVICE. No, sir. So far as I know he never talked to Mr. Currie.

Mr. MORRIS. Mr. Cohen?

Mr. SERVICE. I don't believe so.

Mr. MORRIS. Why did Mr. Munter change his mind, Mr. Service?

Mr. SERVICE. I assume because he was convinced that I was guilty, and therefore I would be all right—I am sorry, I was innocent, was not guilty, and would be all right. He told me to go ahead, and he thought it would be all right.

Mr. MORRIS. So it is your testimony that no one assured you that if you appeared before the grand jury you would come out all right?

Mr. SERVICE. Well, I have no recollection of anyone telling me that, and unless I know the context it is hard for me to answer. Somebody, Mr. Munter himself, may have said, "Well, I think you are all right, go ahead if you feel that you can take it, that you will be all right; why, all right, go ahead."

Mr. MORRIS. When did you first hear that you were cleared by the grand jury, Mr. Service?

Mr. SERVICE. I heard it from the press, as I remember it.

Mr. MORRIS. Did you not hear it before it was announced formally?

Mr. SERVICE. I can't recall how I did hear it now. It was the same day that it was announced.

Mr. MORRIS. It is not a fact that you knew it before the official return was made?

Mr. SERVICE. Not that I recall. Can you give me any information?

Mr. MORRIS. No, I am asking you the question, Mr. Service.

Mr. SERVICE. I cannot recall now whether my lawyer told me; but in any case, it was the same day that the announcement was made.

Mr. MORRIS. Well, Mr. Service, I think—I call your attention to the fact that here was a decision on the part of the grand jury that certainly must have meant a great deal to you and your life.

Mr. SERVICE. It certainly did.

Mr. MORRIS. So I think it is reasonable if we ask you to tell us how you first learned that news. It seems to me the kind of thing that you do not forget.

Mr. SERVICE. I am sorry, I simply have. There were a great many things happening to me at that time. So far as I can remember, I heard simultaneously with the public announcement on the same day that it was announced.

Now, whether I heard—I assume I must have heard through my lawyer's office. He may have received word, but I don't remember actually because I was very disappointed. It was the same day that it was announced that Japan was going to accept our surrender terms, and I thought, "This is a guy's tough luck; when he is arrested it is all over the front page, but when he is cleared on the day that it is announced that Japan is surrendering, he is lucky if it is going to be on page 27."

Mr. MORRIS. Is it your testimony, Mr. Service, that you do not recall how you first learned the decision of the grand jury that you had been cleared even though that fact was and should have been a very important decision in your life?

Mr. SERVICE. I regret that I have no specific recollection now of how I got the news. I may have gotten it through the State Department, I don't know.

Mr. MORRIS. Who is the one who was in charge of your defense fund, Mr. Service?

Mr. SERVICE. Well, as I said the other day, there was a small fund of \$500 raised by various friends.

Mr. MORRIS. Was there not one person in charge of collecting it?

Mr. SERVICE. There was one person who was not in charge, but simply acting as a treasurer. It was Dr. Mortimer Graves. That, of course, was only a small part of my expenditures. That simply cov-

ered the cost of my bond. I had to borrow considerable money from my family and other people.

Mr. Morris. Altogether what did your defense cost you, Mr. Service?

Mr. Service. I think that the lawyer's fee was \$2,000, which he later reduced to \$1,500. I spent, I estimated, \$400 or \$500 in incidental expenses, and so on, and counting \$500 for a bond, that would be \$2,500.

Mr. Morris. Did you discuss the Amerasia case at all with Alger Hiss?

Mr. Service. I beg your pardon?

Mr. Morris. Alger Hiss? Did you discuss the Amerasia case with him?

Mr. Service. I never had any discussion with Alger Hiss.

Mr. Morris. Or Donald Hiss?

Mr. Service. I never met him at all except on one occasion in January or February 1943.

Mr. Morris. What was that occasion, Mr. Service?

Mr. Service. Well, at that time he was working, I think, as an assistant to Dr. Hornbeck, who was called special adviser on Far Eastern affairs, and while I was in the Department on consultation during January and February 1943 I was introduced to Mr. Hiss, as I was to everyone else in the Far Eastern set-up, and we had lunch together on one occasion.

Mr. Morris. That was in 1943 that you had lunch?

Mr. Service. That was in early 1943.

Mr. Morris. How about Donald Hiss?

Mr. Service. As far as I know I have never met Donald Hiss.

Mr. Morris. In your testimony, in your statement, Mr. Service, you quoted from Emmanuel Larsen's testimony before this committee. Where did you obtain a copy of this testimony?

Mr. Service. You don't have the page, do you?

Mr. Morris. No, I don't know offhand, Mr. Service.

Mr. Service. This is from my preliminary statement, which appears at page 1082 of the transcript of these hearings, and I quote:

Despite the sworn testimony which I have just quoted—that is, the sworn testimony which I just quoted was from the hearings before the loyalty board—I continue with the quotation from the transcript of these hearings:

The news story in the Washington Star for June 20 referred to above indicates that Larsen repeated before your committee the following day the charge that I, among others, sought to "sabotge" Mr. Hurley.

I can try to find the Evening Star for you.

Mr. Morris. Is it your testimony that you had no information on Larsen's testimony other than what you read in the Washington Star?

Mr. Service. That is right.

Mr. Morris. You had access to no other testimony?

Mr. Service. We had access to no other testimony, except the testimony that he gave in the loyalty hearing, my own loyalty hearing. We had no access that he had—no access to testimony that he had given before this committee.

Mr. Morris. That is from the loyalty board. All right.

In connection with your visit to the Lattimores 2 days prior to your arrest, Mr. Service, you testified that you were going over the manuscript of a book that had been written by Mr. Roth.

Mr. SERVICE. I don't think that I testified that I was going over it. I said that my recollection was that Mr. Roth had brought along the galley proofs, so far as the book he wanted to discuss with Mr. Lattimore.

Mr. MORRIS. I see, not with you?

Mr. SERVICE. No, I said that I don't recall ever having read the galley proofs myself; that I was not particularly interested in it. It was a book on Japan.

Mr. MORRIS. What was the name of the book, do you know?

Mr. SERVICE. It was finally published under the title, as I recall it, Dilemma in Japan.

Can I refer you, sir, to page 1322 of the transcript of hearing before this committee in which Mr. Morgan asked me: "Did you see the galley proofs of Mr. Roth's book yourself?"

I replied:

I have no recollection of ever seeing them or reading them. I was not particularly interested in Japan, and the book was entirely concerned with Japan. I had no specialized knowledge or interest.

Mr. MORRIS. Mr. Service, I notice that very often after you would render a report to your superiors you would frequently request that a copy be sent to John Davies. Why did you do that?

Mr. SERVICE. There were four Foreign Service officers attached to the China-Burma-India theater as political officers. The senior among the four was Mr. Davies, who had come to China with General Stilwell when he took over command or rather when he established the theater in the beginning of 1942.

Mr. Davies acted really as the senior, and as he was the director of this group of four officers, it was our established policy, with the approval of Army Headquarters, to send him a copy of any of these memoranda which we wrote.

Now, of course, if I was asked to draft a telegram—if I was asked to draft a telegram or correspondence for General Stilwell's signature or for actual staff use, I would not retain any copy and, of course, would not send any copy to Mr. Davies.

It was only these reportorial memoranda that I wrote describing conversations that I would send a copy to Mr. Davies.

Senator McMAHON. Is Mr. Davies still in the Department?

Mr. SERVICE. He is still in the Department.

Senator McMAHON. Has he got a brother who lives in Philadelphia?

Mr. SERVICE. No; I believe he has only one brother, and that brother is in the Foreign Service, and is stationed out in the field somewhere.

Senator McMAHON. Do you know his first name?

Mr. SERVICE. The brother?

Senator McMAHON. Is his name Richard?

Mr. SERVICE. The only brother that I know is Donald Davies. There is a Richard Davies in the Foreign Service also, but he is no relative.

Mr. MORRIS. What is Mr. John Davies' present position?

Mr. SERVICE. He is a member of the policy planning staff, I believe.

Mr. MORRIS. Would you say that generally Mr. Davies' reports, analysis of the Chinese political situation, coincided with yours?

Mr. SERVICE. Yes, I think they did.

Mr. MORRIS. I am not going into this extensively, but I would like to just introduce one report of Mr. Davies.

Mr. SERVICE. Mr. Davies, of course, was not in China most of the time; he was generally stationed in New Delhi at the rear echelon headquarters, and I, having more experience in China, more recent experience in China, and being on good terms, and having a good many contacts in Chungking, I stayed in Chungking.

Mr. MORRIS. I have here a report of Mr. Davies, How Red are the Chinese Communists.

Senator McMAHON. May I ask what this designed to prove? I would like to know the connection in your mind.

Mr. MORRIS. There are two reasons, Senator: I notice that Mr. Service always sent his reports to Mr. Davies. Also I note there was an identity of thought expressed in the various memoranda, and in order to support my statement to that effect, I am just introducing one copy, and I want to ask him if his report coincided with his.

Senator McMAHON. What I would like to know is what it proves of interest to our investigation. Is there any allegation that Mr. Davies gave out any information?

Mr. MORRIS. I do not know.

Senator McMAHON. Well, is there any allegation—

Mr. MORRIS. Well, Mr. Davies first came into the discussion the other day when Mr. Kennan was the one who analyzed the reports of Mr. Service. Now, Mr. Davies is an assistant to Mr. Kennan.

Senator McMAHON. That is right.

Mr. MORRIS. I would like to point out in fact that here is Mr. Davies whose reports coincide with Mr. Service, and who is an assistant to Mr. Kennan.

Senator McMAHON. That is in the record. But what I am trying to get at is, I realize we are not holding a hearing where we abide by the rules of evidence, but there is reason not to encumber this record, I think you will agree with me.

As a lawyer, I do not see any connection between him, Davies, accepting the views of Service with the allegation that Service was too friendly with Jaffe or anybody else. I do not know Davies from Adam, but what does that prove regarding Service's questionable conduct?

Mr. MORRIS. I do not think it is only Mr. Service's questionable conduct. It is the whole policy of the State Department with respect to representatives in the field.

Senator McMAHON. No, that is not the question.

Mr. MORRIS. If you want to restrict it to the Amerasia case, if you are restricting this to the Amerasia aspect of it, I say that it true.

Senator McMAHON. You see what we are doing here is investigating disloyalty in the State Department, and we are going over the Amerasia case so far as it reflects that kind of thing. Now, in some cases we have gone far afield, and I wish you would not go too far afield, and if there is any allegation that Mr. Davies was disloyal, I think that would be, perhaps, material. I do not know of any allegation, and that is why I am asking you the question.

Mr. MORRIS. I think one day we had it out here, Senator, when someone asked me why I thought the Amerasia case was important, and I said that one of the reasons was that a summary of the records

seized in the Amerasia case shows that there were several Foreign Service officers and State Department officers in the field whose reports all seemed to coincide, and whose reports differently reflected pro-Communist leanings.

We have had testimony to that effect. Now, here in noticing this, Mr. Service makes up a report, and he would always send a copy to Mr. Davies, and I thought it might be pertinent. Perhaps I am wrong, but I thought it might be pertinent at this juncture for us to introduce one of Mr. Davies' reports into the record. If you think it is not relevant, I will withdraw it.

Senator McMAHON. Not at all. If it is on the ground of proving something with regard to this witness. The question is does it prove something on Davies?

Mr. MORRIS. I am not directing this to any individual at all, Senator. Remember, when somebody asked me—I did not volunteer the statement—what I thought was the importance of the Amerasia case, I said, the Amerasia case to me is one of the cases—the important aspect of it is that the records seized in the Amerasia office showed that there were quite a number of Foreign Service officers and State Department officials in the field who were sending reports back to Washington which indicated a definite pro-Communist bias, and that is significant.

Senator McMAHON. And you are offering it then in connection with a reflection to be drawn from that on Davies?

Mr. MORRIS. Well, I guess you could say that.

Senator TYDINGS. General Marshall himself went out to China and tried to bring the Communists and the Nationalists together, as you yourself know. I do not think that because a man may say one thing or the other, that necessarily is disloyal. You may disagree with it, and I may disagree with it, but that in itself, if it is an honest expression of opinion as to what he thinks the policy should be, particularly when a war is going on, as to how we can save our own lives, is not necessarily disloyal.

It can be wrong, and I think we have gotten away from our whole scope of this investigation, and I must insist that the questions be brought more in line with Resolution 231 to investigate whether or not persons in the State Department have been or are disloyal. I do not want to make it very narrow, but I ask you, not as an order, but as a request, to try to come back into the general purview.

Mr. MORRIS. Well, Senator, some of them say this. I think if we are going to show anything in this investigation it is going to be and will contain three types of proof. One will be by direct association, if we had somebody who was a member of the Communist Party—

Senator TYDINGS. Go ahead with your questions, and if they get out of line I am going to ask that we rule on them so that we can get along here. I do not want to go into these half-way things, and I do not want to be—

Mr. MORRIS. Well, Senator, I think a man's writings and a man's associations are one of the few ways we have of showing whether or not he has been disloyal.

Senator TYDINGS. If they show disloyalty; yes.

Mr. MORRIS. That is what I am submitting.

Senator TYDINGS. But if they show a difference in point of view; no.

Senator LOUWIS. The questions that Mr. Morris wants to ask are questions which are in the minds of a great many Americans, and if this investigation is to have validity and carry conviction with the people you want to convince, not the people who agree with you already, it seems to me that his questions are entitled to be answered.

Senator TYDINGS. I want him to have a wide latitude, but I want to see—

Senator McMAHON. In view of Mr. Morris' remarks, I have no objection to Mr. Davies' statement going into the record, but I thought it proper at this point to try to point out some of the limitations implicit in our investigation.

Now, I have been informed, and have never verified it myself, that General Hurley made a statement after he saw Mr. Stalin one time that he took Mr. Stalin's word for his statement, and believed in Mr. Stalin's statement that Mr. Stalin was not interested in the Chinese Communists.

Now, I would certainly, knowing General Hurley, not put that in the record for the purpose of showing that he was inclined to be a Communist. Do you follow me? That is true, is it not, what General Hurley said at one time? I have been informed that was his statement.

Mr. MORRIS. I do not know.

Senator TYDINGS. The questions ought to have some relevancy.

(Discussion off the record.)

Senator TYDINGS. Go ahead.

Senator McMAHON. Put in Mr. Davies' statement.

Mr. MORRIS. Remember, my reason for going into the personal effects—

Senator TYDINGS. Go ahead.

Senator McMAHON. Let us put in Mr. Davies' statement.

Senator TYDINGS. Do you want Mr. Davies' statement in?

Mr. MORRIS. Yes.

Senator TYDINGS. Without objection it will be put in the record.

(The document referred to follows:)

DOCUMENT J 108 Y
RF Q 306

1. Agency where prepared: OWI.

2. Agency where routed:

3. Where recovered: America.

4. Original or copy: Typed copy and carbons.

5. Copies found elsewhere:

6. Abstract of document:

(1) Yenan, November 7, 1944. Subject: How Red are the Chinese Communists? by John Davies. Memo points out moderation of Communists, their willingness to cooperate and to make concessions.

(2) Yenan, November 7, 1944. Subject: Will the Communists Take Over China? by John Davies. Memo reflects Davies' opinion that the Communists are in China to stay, China's destiny is in their hands, and they possess strength and vitality superior to that of Chiang and his followers. (Original typed copy with four copies.)

7. Comments of agency preparing document: An item, not an exact copy, but of the same substance, was located by Helen Groves in OWI files, July 5, 1945; filed in China Section, room 3030.

8. Comments of agency receiving document: None.

9. Laboratory examination: Latents (iodine), none; typewriting, ident K4-KB.

10. Comments:

11. Agent who can introduce document: George E. Allen.

How Red Are the Chinese Communists?

The Chinese Communists are backsliders. They still acclaim the infallibility of Marxian dogma and call themselves Communists. But they have become indulgent of human frailty and confess that China's Communist salvation can be attained only through prolonged evolutionary rather than immediate revolutionary conversation. Like that other eminent backslider, Ramsay MacDonald, they have come to accept the inevitability of gradualness.

Yenan is no Marxist New Jerusalem. The saints and prophets of Chinese communism, living in the austere comfort of caves scooped out of loess cliffs, lust after the strange gods of class compromise and party coalition, rather shamefacedly worship the golden calf of foreign investments and yearn to be considered respectable by worldly standards.

All of this is more than scheming Communist opportunism. Whatever the orthodox Communist theory may be about reversion from expedient compromise to pristine revolutionary ardor, the Chinese Communist leaders are realistic enough to recognize that they have now deviated so far to the right that they will return to the revolution only if driven to it by overwhelming pressure from domestic and foreign forces of reaction.

There are several reasons for the moderation of the Communists.

1. They are Chinese. Being Chinese, they are, for all of their early excesses, temperamentally inclined to compromise and harmony in human relationships.

2. They are realists. They recognize that the Chinese masses is 90 percent peasantry; that the peasantry is semi-feudal—culturally, economically, and politically in the Middle Ages; that not until China has developed through several generations will it be ready for communism; that the immediate program must therefore be elementary agrarian reform and the introduction of political democracy.

3. They are nationalists. In more than 7 years of bitter fighting against a foreign enemy the primary emotional and intellectual emphasis has shifted from internal social revolution to nationalism.

4. They have begun to come into power. As has been the experience in virtually all successful revolutionary movements, accession to power is bringing a sobering realization of responsibility and a desire to move cautiously and moderately.

Chinese Communist moderation and willingness to make concessions must not be confused with softness or decay. The Communists are the toughest, best organized and disciplined group in China. They offer cooperation to Chiang out of strength, not out of weakness.

JOHN DAVIES.

YENAN, November 7, 1944.

WILL THE COMMUNISTS TAKE OVER CHINA?

The Chinese Communists are so strong between the Great Wall and the Yangtze that they can now look forward to the postwar control of at least north China. They may also continue to hold not only those parts of the Yangtze Valley which they now dominate but also new areas in central and south China. The Communists have fallen heir to these new areas by a process, which has been operating for 7 years, whereby Chiang Kai-shek loses his cities and principal lines of communication to the Japanese and the countryside to the Communists.

The Communists have survived 10 years of civil war and 7 years of Japanese offensives. They have survived not only more sustained enemy pressure than the Chinese Central Government forces have been subjected to, but also a severe blockade imposed by Chiang.

They have survived and they have grown. Communist growth since 1937 has been almost geometric in progression. From control of some 100,000 square kilometers with a population of one million and a half they have expanded to about 850,000 square kilometers with a population of approximately ninety million. And they will continue to grow.

The reason for this phenomenal vitality and strength is simple and fundamental. It is mass support, mass participation. The Communist governments and armies are the first governments and armies in modern Chinese history to have positive and widespread popular support. They have this support because the governments and armies are genuinely of the people.

Only if he is able to enlist foreign intervention on a scale equal to the Japanese invasion of China will Chiang probably be able to crush the Communists. But foreign intervention on such a scale would seem to be unlikely. Relying upon his dispirited shambling legions, his decadent corrupt bureaucracy, his sterile political moralisms, and such nervous foreign support as he can muster, the generalissimo may nevertheless plunge China into civil war. He cannot succeed, however, where the Japanese in more than 7 years of determined striving have failed. The Communists are already too strong for him.

Civil war would probably end in a mutually exhausted stalemate. China would be divided into at least two camps with Chiang reduced to the position of a regional warlord. The possibility should not be overlooked of the Communists—certainly if they receive foreign aid—emerging from a civil war swiftly and decisively victorious, in control of all China.

Since 1937 the Communists have been trying to persuade Chiang to form a democratic coalition government in which they would participate. Should the generalissimo accept this compromise proposal and a coalition government be formed with Chiang at the head, the Communists may be expected to continue effective control over the areas which they now hold. They will also probably extend their political influence throughout the rest of the country, for they are the only group in China possessing a program with positive appeal to the people.

If the generalissimo neither precipitates a civil war nor reaches an understanding with the Communists, he is still confronted with defeat. Chiang's feudal China cannot long exist alongside a modern dynamic popular government in north China.

The Communists are in China to stay. And China's destiny is not Chiang's but theirs.

JOHN DAVIES.

YENAN, November 7, 1944.

Mr. SERVICE. We are going to hear it?

Senator TYDINGS. Do you want to comment on it?

Mr. SERVICE. I don't know what is in it, what it is.

Senator TYDINGS. If you did not write it, I do not know what your comment would be.

Mr. MORGAN. I think the question was asked, Mr. Chairman, as to whether or not Mr. Service's ideas coincided with Mr. Davies. He answered the question, and to that extent—

Senator TYDINGS. There would be some propriety.

Mr. MORRIS. I think the decision the other day was that, after we made reference to these various reports by Mr. Service, that they would be introduced in the record.

Mr. MORGAN. As I understand it, the decision was that those reports from which extracts were read into the record, in such cases, the full report was to be incorporated in the record.

Senator TYDINGS. All right, they will be incorporated in the record.

Have you any comment, Mr. Service, to make? Please come to the point if you can, and let us get along. Go ahead. What is your comment?

Mr. SERVICE. I would like to point out this was written during a period when I was not in China, and I do not remember when I saw this for the first time. When I said that I had general agreement with Mr. Davies, I was thinking of our general philosophy of the whole situation, and the best means of dealing with it.

That line of thinking, which we shared, is most conveniently summarized in annex 47 of the China white paper, which has excerpts from both of our reports, and I would like to refer you to that.

Mr. MORRIS. I have read that.

Mr. SERVICE. I was thinking particularly of certain papers which Mr. Davies had written, which I was familiar with, which are incor-

porated, or excerpts from it are incorporated, in the transcript of the hearings of the Loyalty Board, where Mr. Davies testified, but those are rather lengthly and, perhaps, you would not wish to have them read here.

Senator TYDINGS. Except to comment on it generally. It is not your comment; it is Mr. Davies'. Let us get on.

Mr. RUETTS. In that connection, Senator, I certainly have no disposition to extend this. I do have a feeling, however, that if Mr. Service's views are to be associated as coinciding with Mr. Davies in some isolated paper written by Mr. Davies, which is to be put in the record, I have a feeling that it is only proper to—

Senator TYDINGS. You would have to take all of his papers and all of his views, and take them together and associate them to be useful. It is just the same principle as letting in one paragraph of a document instead of the whole document.

Mr. RUETTS. That is, at least, why I would like to refer the committee—I would like to request that these writings also be made part of the record, as has just been made of this paper.

Senator TYDINGS. I think Mr. Service is in a position where he wrote a hundred and some reports, and they ought to be judged pretty well on what he wrote himself, not to give his opinion on what somebody else's philosophy is.

Mr. MORGAN. There was one word that Mr. Service used, although I do not want to get into the question of semantics. That word sometimes has connotations today that may not be those of normal times.

You used the expression, I believe, that you and Mr. Davies had a similar "philosophy" with respect to the situation. What did you mean by that?

Mr. SERVICE. We shared a generally similar outlook on the long-range problems that faced the United States, the problems of the balance of power in the Far East, and the means which our policy should seek to follow to maintain United States position in the Far East, and to keep China from falling entirely into the Russian orbit, which we saw as early as 1943 was the great danger.

Mr. MORGAN. Thank you.

Senator TYDINGS. All right, go ahead, Mr. Morris.

Mr. SERVICE. May I also make some comment on this: Reference was made to Mr. Kennan recently, and I would like to read from the transcript of our hearings before the—

Senator TYDINGS. Go ahead and read it.

Mr. SERVICE (continuing). State Department Loyalty Board. Mr. Kennan was asked:

By the way, Mr. Kennan, will you state to the Board whether you are acquainted with Mr. Service?

Mr. KENNAN. I have never met Mr. Service before he returned on this occasion, and I have never spoken with him excepting concerning the technique or arrangement for my appearing here. I purposely did not discuss anything that I thought I was going to say on this occasion with him or with anyone that I thought might be in communication with him, and have never discussed the contents of his reports. I had also not read the reports before this except insofar as they contained in the white paper; so that they came to me fresh.

Senator TYDINGS. Go ahead, Mr. Morris.

Mr. MORRIS. I have a letter signed by a man named "Julian", addressed to "Dear Jack," which was found in your possession. I wonder if you will identify this. It is Q-401.

(The letter referred to is as follows:)

DOCUMENT S-67

Q-404

THE UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION,

May 14, 1945.

DEAR JACK: I met your wife the other evening, and your delightful children as well. Phil had arranged with Carolyn to bring Messrs. Tung and Chen to Berkeley, and we had dinner together, along with Martin Wilbur. During the course of conversation, Carolyn mentioned her need of a washing machine in Washington. I told her that if worse comes to worse you might be able to have my family's machine which is now up on Long Island. Carolyn got all excited about this suggestion, and she said that she would write you about it. If you have been looking for one in Washington, I suggest that you continue to do so. You should also inquire about the possibility of new machines coming on the market in the near future. If your efforts in Washington all lead up a blind alley, then it would be practical to consider shipping my family's machine—if you want it—from Long Island to Washington. I just thought that I should explain this to you in case Carolyn's letter discourages you from continuing your search for a machine.

The conference is rather dull, and I find it very depressing. I imagine that this conference may go down as one of the most reactionary international gatherings in history. The only consolation I can find is that the fantastic views on international organization—views which are in essence quite contrary to real and sound international organization—may contribute to breaking down such outmoded concepts as sovereign equality and nation-state system of international relations. But they offer nothing in place of these traditional elements of world affairs.

Phil is keeping the most disgraceful company these days. It is practically certain now that he'll return to Chungking as Minister Counselor and Hurley's houseboy. He is taking his job seriously and even shows some compassion over the inconvenience which members of the Chinese delegation occasionally have to endure. He is first-rate on seeing that T. V.'s car turns up at the right place at the right time.

John Carter has been introducing me around as the labor attaché for Chungking. The local liberal and labor groups have had me out for a party to meet the right-minded people. Saturday I was introduced to Tarasov, Soviet trade-union representative on the World Trade Union Council. He told that he didn't know that north China was called Communist China. He asked whether they were "Communists" or not. He stated that the Soviet Government favored unity in China and that the United States and Soviet Union should cooperate in bringing about such unity. I am planning to bring John Carter together with Tarasov and another Soviet trade-union leader, Kuznetsov (who is the head of the Soviet trade-union movement and an important figure in Soviet high policy). We may not learn much, but we might get some better line on Soviet psychology on the Pacific, specifically, the China question.

Not much else to say. I won't go into detail about the conference. It isn't too difficult to read between the lines in the press to see what is happening here.

Best regards,

JULIAN.

Mr. MORRIS. I wonder if you will look at that letter and identify the writer and the addressee.

Mr. SERVICE. Well, I had forgotten all about this letter until it was shown to me by the Department of State loyalty board. I assume that the writer must be a man named Julian Friedman, who was an employee of the Department of State at that time, and was at San Francisco, I think, as a liaison officer of some sort.

Mr. MORRIS. And he was writing to you?

Mr. SERVICE. Yes.

Senator TYDINGS. Speak the least bit more loudly, please.

Mr. MORRIS. And the John Carter referred to in this letter was, I take it, John Carter Vincent?

Mr. SERVICE. I assume so.

Mr. MORRIS. And he says: "Phil is keeping the most disgraceful company these days."

Who is Phil?

Mr. SERVICE. I assume he means Philip Spouse.

Mr. MORRIS. What was his assignment at that time?

Mr. SERVICE. He was also a liaison officer. His duties were liaison with the Chinese delegation, I think.

Mr. MORRIS. He says:

Saturday I was introduced to Tarasov, Soviet trade-union representative on the World Trade Union Council. He told that he didn't know that north China was called Communist China. He asked whether they were "Communists" or not.

He stated that the Soviet Government favored unity in China and that the United States and Soviet Union should cooperate in bringing about such unity. I am planning to bring John Carter together with Tarasov and another Soviet trade-union leader, Kuznetzov (who is the head of the Soviet trade-union movement and an important figure in Soviet high policy). We may not learn much, but we might get some better line on Soviet psychology on the Pacific, specifically, the China question.

Was there ever any follow-up that you knew of on that proposal?

Mr. SERVICE. Not that I know of. Mr. Friedman was, as I remember, a labor economist, and was later assigned as labor attaché. I suppose that is the basis of his meeting with these Russian labor officials.

The interesting thing there, of course, is that Tarasov, whatever the man's name is, is reflecting the official Moscow line, which Molotov and Stalin had been giving General Hurley, which Mr. Kennan and the Embassy in Moscow, and in which I myself reporting to Chungking, thought was false.

Mr. MORRIS. When did you report that, Mr. Service?

Mr. SERVICE. I have here, for instance, a report which I wrote on February 16, 1945, just about the date of Yalta, of conversations with a man by the name of Vinogradoff, who was the press attaché, in which I report Mr. Vinogradoff making a statement such as this:

Senator McMAHON. October 1944?

Mr. SERVICE. No, this is February 16, 1945. This is Mr. Vinogradoff speaking:

Our policy is definite and clear. We, Russia, will certainly have a voice in the affairs of the Far East, but we will do nothing to assist, support, or encourage the present Government of China.

That is a very different line which I was getting from Vinogradoff and reporting, very different line from the high level Moscow line at that time, that they were all for better relations in the Central Government.

Senator McMAHON. What line was General Hurley taking?

Mr. SERVICE. General Hurley was saying continually that he had been assured by Moscow, by Molotov and Stalin, and he says here at the hearings in the Senate Foreign Relations Committee, and I quote from page 31—this is December 1945, hearings before the Senate Foreign Relations Committee:

Russia has said from the beginning that the Chinese Communists are not, in fact, Communists at all; that Russia has not supported the Chinese Communists; that Russia does support the National Government of the Republic of China, and the leadership of Chiang Kai-shek; that Russia desires closer and more harmonious relations with China.

This attitude was the attitude of General Hurley, and there are numerous quotations from General Hurley as to where he says the same thing.

Senator McMAHON. Is he reporting the fact or is he reporting his belief in the truth of that fact?

Mr. SERVICE. I think if you read the hearings and you read the white paper, that he believed those, and he was cautioned by the State Department not to put too much weight in them, and that was one of his complaints in the State Department that they changed his instructions, as he said, on the basis of State Department Embassy Moscow unwillingness to accept the assurances of Stalin and Molotov.

Senator McMAHON. And your point is, if I understand you correctly, that you did not believe this line that was coming out of Moscow?

Mr. SERVICE. That is correct.

Senator McMAHON. Because you were being told something different in the field, which you reported to the State Department.

Mr. SERVICE. A, because it was not logical and did not make sense; and, B, because my opinion was confirmed by Communist officials, Soviet officials, in Chungking.

Mr. MORRIS. When did you ever report that, Mr. Service?

Mr. SERVICE. I read you excerpts from a report which I wrote on February 16, 1945.

Mr. MORRIS. In support of that conclusion?

Mr. SERVICE. Yes; I quote Mr. Vinogradoff in saying, "We are not going to support or encourage the present Government of China."

Mr. MORRIS. I know that, but you just quoted him; you did not give your own opinion at that time?

Mr. SERVICE. In a report which I wrote on the next day, February 17, 1945, commenting on the Soviet statements on Chinese hopes of making a deal with Russia, I point out in conclusion—

The Russians in Chungking are being frigid toward a central government and talking freely of their low opinion of it, and correspondingly high opinion of Yenan. Furthermore, there is not much exchangeable quid pro quo—

I had been discussing the early part of the report of the inducements which the Chinese could offer the Soviets to make a treaty—

The Chinese are not likely to make concessions in Sinkiang, outer Mongolia, or Manchuria. Finally the objective circumstances are not favorable. The Central Government and Chiang are weaker than France and DeGaulle. The Chinese Communists are stronger than the FFI—

French Forces in the Interior—

and getting stronger rapidly. Both Russia and the Chinese Communists can do very well, therefore, by sitting tight and waiting.

In other words, I did not see that it was to Russia's interest—

Senator TYDINGS. All right, the next question.

Mr. SERVICE. This may be off the subject a little bit, but in connection with the views of Mr. Davies and myself concerning the Chinese Communists, I think we ought to refer to such statements as this made to the press at a press conference had by General Hurley on April 6, 1945.

Mr. MORGAN. What is that you are reading from?

Mr. SERVICE. This is from the text, stenographic text, of the press conference, radio and press conference. I am sorry, the date was

April 2, 1945, with Ambassador Hurley meeting the press, and I quote. Mr. Hurley says:

You gentlemen should know, though I believe you all do know, that it is a matter of common knowledge that the Communist Party of China supports the principles of Dr. Sun Yat-sen. That was generally referred to as the people's three principles of China.

Senator TYDINGS. Sun Yat-sen? You mean the great Chinese leader for democracy and liberation?

Mr. SERVICE. That is correct.

Senator TYDINGS. Go ahead.

Mr. SERVICE. Mr. Hurley continues:

The three principles are government of the people, by the people, and for the people. All the demands that the Communist Party has been making have been on a democratic basis. That has led to the statement that the Communist Party in China are not in fact real Communists. The Communist Party of China is supporting exactly the same principles as those promulgated by the National Government of China.

I mean I can quote at great length from General Hurley.

Senator TYDINGS. I think you ought to put the whole thing in the record.

Mr. SERVICE. There is a great deal of this contained in the transcript of hearing before the Loyalty Board, but I have not wanted to protract things unnecessarily here.

Senator TYDINGS. Can't you put in the record those parts of General Hurley's releases which are on all fours which you have just read to show there was a general point of view shared by many people of a wide variety of political beliefs at that particular time?

Mr. MORGAN. Do you know how General Hurley used the word "democratic," Mr. Service?

Mr. SERVICE. No, I don't except that he has associated with those principles of government the principles "of the people, for the people, and by the people."

(Discussion off the record.)

Senator TYDINGS. Go ahead. We will put those in. Let us go ahead, Mr. Morris, unless you have got some more, Mr. Service.

Mr. SERVICE. Would you like more of it, sir?

Senator TYDINGS. Yes, if it is not too long.

Mr. SERVICE. The next question is:

Sir, I am not sure that I understood that last sentence. You said the Communist Party is supporting the same principles as the National Government of China?

General Hurley's answer was: Yes.

Question. Could you tell us what is the divergence between them? How do they differ?

Answer. Well, as a matter of fact, the divergence between the parties in China seems to be not in the objective desired because they both assert that they are for the establishment of a government in China that will decentralize authority and conduct itself along democratic lines, employing democratic processes; the divergence between them is the procedure by which they can be achieved. To go a little further, the Communist Party would like for the National Government to inaugurate certain reforms immediately, and to do that they have suggested a bipartisan coalition government.

Senator McMAHON. Was he for that? Was Hurley for the coalition, the bipartisan government?

Mr. SERVICE. Certainly, sir, that was one of his basic directives.

Senator McMAHON. Did he indicate personal agreement with that objective?

Mr. SERVICE. Certainly.

Senator McMAHON. Have you got the excerpts which you can put in the record?

Senator GREEN. Are we proceeding?

Senator LODGE. Are we making progress?

Senator McMAHON. As far as I am concerned we are making progress, because I want to know what this man Hurley was doing.

Senator TYDINGS. I was going to suggest this, Senator McMahon: Evidently in order to make a compilation with any degree of comprehension, we ought to give the witness a chance to supplement his remarks by putting it in the record later when he can hunt it up.

Senator LODGE. I suggest that the witness be given every opportunity to prepare a statement, and let it be submitted to us, and then be made part of the record.

Senator GREEN. Every opportunity in addition to the present.

Senator LODGE. Yes.

Senator McMAHON. Let me make it clear as to what I want: I want Hurley's philosophy, Hurley's views, and I want the documentation of those views.

Senator LODGE. That is perfectly all right with me.

Senator TYDINGS. We do not want them next year, we want them soon.

Mr. RHETTS. We will be glad to prepare that out of the material we have here, including the Senate Foreign Affairs Committee transcript.

Mr. MORRIS. I think also that we should have General Hurley's testimony.

Senator TYDINGS. I have been in touch with General Hurley several times, and the most recent time was several days ago.

He does not want to testify. He tells me he has nothing to contribute to the testimony that he has contributed before the Foreign Relations Committee; I have so stated to the committee, in a message, and so stated in the press.

I urged General Hurley to come and testify, but he does not want to come because he says he cannot bring out anything that we do not already know.

Senator GREEN. When was that?

Senator TYDINGS. That was about—

Mr. RHETTS. December 5, 6, 7 and 10, 1945, Senator Green.

Senator GREEN. I remember that; I took part in it. I would like to refresh my recollection on my cross-examination.

Senator TYDINGS. Go ahead, Mr. Morris.

Mr. MORRIS. Senator, I have here a list of names that appeared in Mr. Service's address book. Now, I think for the sake of expediency, I would like to give the list to Mr. Service and ask him to go through the list and tell us briefly what his associations have been with the particular people, and who they are.

Senator TYDINGS. May I ask you what the point of this interrogation is?

Mr. MORRIS. Well, a man's address book, Senator, presumably contains a list of his associates.

Senator TYDINGS. Granted.

Mr. MORRIS. I think who Mr. Service's associates are is something that is pertinent to this inquiry.

Senator TYDINGS. Well, didn't he identify them the other day for you?

Mr. MORRIS. He did not.

Senator TYDINGS. He did not?

Mr. MORRIS. I selected 10 or 12 from the list the other day. I did not want to go into it any further than because—

Mr. SERVICE. Whom did we discuss the other day?

Mr. MORRIS. We had Lattimore, Duncan Lee. We had Sol Adler. There are three on the first page.

Senator TYDINGS. I would say that if they are in Mr. Service's addresses, obviously he has some kind of an acquaintanceship with them. That is conceded. What more proof do you want than that?

Mr. MORRIS. A complete identity is not here.

Senator TYDINGS. Does that show disloyalty to the State Department? Does it have some relevance to Mr. Service's disloyalty, as a disloyal citizen?

Mr. MORRIS. Senator, as I pointed out the other day, some of these people have been identified before congressional committees as Soviet agents.

Senator TYDINGS. That is not necessarily so. Some of them have been designated as Soviet agents, but that does not make them so.

Mr. MORRIS. I submit that if we have testimony before a congressional committee and I also understand—

Senator TYDINGS. I am not a very strong believer in that sort of testimony to hang people on, Mr. Morris.

Mr. MORRIS. I am not hanging anyone on it, Senator, I am submitting—

Senator TYDINGS. I have no objection to its going in and having Mr. Service making any comment that you want him to make.

Mr. MORRIS. I think in all fairness, rather than use the expression "hang someone on it," I think it is a very unfair term. I think that is something we should take into consideration for future study.

Senator TYDINGS. All right, go ahead.

Senator GREEN. How many of them are there altogether?

Senator TYDINGS. We are getting pretty far afield. What you want are acts, not people he knows.

I now know Mr. Browder. I met him the other day, and what's this other fellow—

Mr. MORRIS. That is not in your address book; this is something else.

Senator TYDINGS. I may be in his address book, and that might make me guilty.

Mr. MORRIS. If I am going too far afield—

Senator TYDINGS. I think you are. It may be somewhat captious. You may put it in the record, but I do not think you ought to draw any conclusions.

Mr. MORRIS. Senator, I draw no conclusions from this at all.

Senator TYDINGS. Go ahead, let us get along.

What is the question?

Mr. MORRIS. Well, Senator, as I say, if you think it is not pertinent, and you do not think we ought to go into it—

Mr. MORGAN. Mr. Chairman, I think we should let Mr. Morris ask the questions.

Senator TYDINGOS. Go ahead, Mr. Morris.

Mr. MORRIS. Mr. Service, just take them up one at a time and tell us who they are.

Mr. SERVICE. The first name is Terrell, a British diplomat who was stationed in Washington for some time. I had known him and had been a neighbor of his in Shanghai and saw him for supper.

The name Jones is Col. Paul Jones, who had previously been public-relations officer, China-Burma, India theater.

The next name, I believe, is copied incorrectly. It should be Reichner. I believe she was a woman working on biographic information for OSS, with whom I had agreed to offer—to whom I had offered to make available my knowledge, particularly regarding Communist personalities. I spent several afternoons with her in OSS being interrogated regarding specific people.

The next man Weaver, I believe, is a captain working in Army Intelligence.

The next name Rose Ellen refers to a Yardoumian, and Ellen Atkinson.

Rose Yardoumian, as I testified, was the secretary of the Washington office of the Institute of Pacific Relations.

Ellen Atkinson was employed in the War Department, MIS, as a researcher on the Far East.

This engagement refers to the party on the 29th of May which I attended which they gave in honor of Lieutenant and Mrs. Roth.

The next name, Senator Pepper, needs no explaining.

The next name is Rankin. He was a lieutenant colonel, had been in Chungking as assistant public-relations officer, and at this time was in Washington temporarily. I saw him for lunch.

The next three entries have to do with a week end at the Lattimores'. The entry for 12 noon on June 5 is a mistake in copying. It should be Linebearer, who had formerly been professor at Duke University. During the war was in Military Intelligence, and during the war was a member of the staff at G-2 in Chungking, and was back in Washington attached to the Psychological Warfare Branch.

The next one was Ray Burns.

The next name is Gebb. I don't remember Mr. Gebb, but it is written right after his name "OSS" here, meaning that he was coming to my office.

There were a good many research specialists in the other agencies who were continually contacting me with respect to some particular line or field of work in which they were engaged where they thought that I might be able to give them some help, and this was undoubtedly such a man.

The next name is Duncan Lee, concerning whom I have already testified. He had arranged to lunch with me.

Now I come to the address book proper.

Mr. MORRIS. The name "Adler" begins the address book.

Mr. SERVICE. I am sorry. I come to the address book proper. This was a new address book, as I remember it, just concerning this particular period. The first name is Adler, whom I have already testified concerning.

The next name is Arneson, Elizabeth Yard. I did not know Mr. Arneson well. He was at that time employed with OWI, I believe. He was a native Icelander, naturalized American.

Elizabeth Yard, his wife, was my friend. She was the daughter of missionaries in west China, the same age as myself, and I had grown up with her and kept contact with her. I had seen them, they lived over in Arlington.

Brooks Atkinson, correspondent for the New York Times, and probably my closest friend in China.

Carl Arnold was General Stilwell's aide.

Lt. Emil Brown—that is a mistake, it should be Lt. Emily Brown—was an old friend of my wife's. She was at that time in the WAC. She had been a college friend of my wife's and myself, too, for that matter, but I had never known her very well. She is a newspaper woman, was a newspaper woman before the war, and is now with the United Press in the Far East.

Barnett is Robert Barnett. At that time he was in the Army, and presently with the State Department.

Carr, I don't remember what Carr that is.

Mr. MORRIS. Could that be Drew Pearson's assistant?

Mr. SERVICE. It might be, it might well be.

Colling was a young captain in the OSS, who had been a member of the observer group at Yenan. He was, what you would call, a sort of guerrilla-warfare man, a demolitions man, and he had just recently returned to Washington to make his reports to OSS, and brought back a lot of films, and they were trying to put together a picture of Chinese Communist guerrilla operations, and I went over to OSS and saw those films several times, consulted with them on it.

John Caldwell was a friend whom I had known since we were boys together in China. He was with OWI, was with me in China, and was back with me in China on the China desk of OWI.

Cowan was an officer in the headquarters at Chungking who happened to be back here temporarily in the War Department.

Dan Davis—that should be Don Davis, is a copying mistake—he was at that time an officer in Naval Intelligence. Marty refers to C. Martin Wilbur, who was head of the Political Branch of the Far Eastern Section of Research and Analysis, which is OSS, formerly a China boy; also a professor and curator in the Field Museum, and came into the OSS during the war.

Dennison refers to a man whom I had known out in China with the National City Bank. I think it was the National City Bank or possibly the Chase Bank, and he was back here with the RFC during the war. His wife had been a college friend of my wife and myself.

Drumright was Everett F. Drumright, an American Foreign Service officer, who was Assistant Chief, Division of Chinese Affairs, State Department.

Emmerson is a fellow service officer, Japan expert, who had been one of the four Foreign Service officers attached to General Stilwell's staff.

Mr. MORRIS. Who were the four, by the way?

Mr. SERVICE. John Davis, Raymond P. Ludden, John Emmerson, and myself.

Lee Engdahl was the widow of a Foreign Service officer who had served with me at Shanghai, and whom we had known very well.

Mr. MORRIS. What was his name?

Mr. SERVICE. His name was Russell Engdahl. He was killed during internment in Hong Kong during the early part of the war. She was employed by the State Department at this time on some sort of a visa review board. She is now vice consul in the Foreign Service and stationed at Tehran.

The next name I think is a mistake in copying. It should be Fickan. He was a man who was a house mate of mine at college. He was a mathematician, had been a professor and was employed during the war by the Navy.

John Fairbanks, now professor of oriental history at Harvard University, during the war was head of far eastern operations for OWI. At this time he was in Washington for employment with OWI.

Hon. C. E. Gruess, of course, was former Ambassador, and my former chief in China.

The next name is Mark Gayn.

Griffliths refers to Col. Samuel P. Griffliths, United States Marine Corps, who had been a Navy language officer in Peking, studying Chinese at the same time I was in Peking in 1936 and 1937. I had kept up my friendship with him.

Gentille is, so far as I can remember, one of those research specialists in OSS who came over to see me on some particular project that he was working on where he hoped that I could give him some advice.

Now, the next item, Garrisonville, Va., "Ask for Tom Waller," does not ring any bell right now. I don't know who Tom Waller is. That might be a mistake in copying. I mean there are so many mistakes in copying.

The next name is Hutchinson. He was a lieutenant colonel in OSS in one of their more secret branches, who had been out in the Far East, and with whom I had consulted on a number of projects which they had contemplated undertaking.

Hitch was an assistant naval attaché in Chungking during part of my period there. He had returned to Washington and was on duty here.

Christine Homan was the wife of an economist who was working for some Government bureau. I think he is employed at present with the President's Council of Economic Advisers. I had known the Homans first in Peking. They had visited there in 1936 or 1937. I had become acquainted with them there, and I was invited to their house for dinner or something here in Washington.

Captain Harris was a young man over in MIS, a researcher in the social branch of or a special branch of something of the sort there who had been present at some interrogation, and had come over to consult me further on some points he was interested in.

Hatem is Corp. J. W., who is a brother of an American doctor who had gone out to China about 1936 or 1937, and had stayed with the Chinese Communists. This doctor in Yenan had asked me to write a letter to his family back here and let them know he was well, and this man Hatem, his younger brother, had come up to see me.

Mr. MORRIS. Was Dr. Hatem a Communist?

Mr. SERVICE. I suppose he must have been to stay there all that time, but I don't know whether he was actually a party member or not.

Harold Isaacs, of course, was at that time correspondent in China of Newsweek, and he had recently returned to the States and was living in New York.

Phil Jaffe we have already discussed.

Col. Paul Jones, his name I already mentioned. His name appears on my date pad.

Herbert Little had formerly been with the Chinese Maritime Customs in China. Since the war he has been the senior foreigner with the Chinese Customs Service. During the war he was returned from internment, I think, and he was with the OSS, and I saw him here in Washington on OSS business.

Freddy Lyon, of course, was the security officer of the Department of State.

Ludden is Raymond P. Ludden, whom I have discussed.

Lattimore I have discussed.

Mrs. W. W. Lockwood is a widow of an old friend of my mother's and father's, who was associated with them, an associate of theirs, out in the YMCA in China.

Capt. Paul Limebearger I have already mentioned. I think that his branch was the Morale Branch of MIS.

Colonel McHugh had formerly been naval attaché in China for a good many years before and during the war. At this period he had been assigned to OSS and was here in Washington.

Colonel Mayer had formerly been military attaché in China and at that time was, I don't know what the term was, Far Eastern specialist in MIS, and he asked me to come over and talk to him and to General Bissell on one occasion.

Mr. RIETTS. Who is General Bissell?

Mr. SERVICE. He was Assistant Chief of Staff, G-2, for the United States Army, in charge of intelligence.

Mertsky was a woman who had formerly been on our staff with the consul general in Shanghai. After marriage to a man named Coleman, she left the Foreign Service and was living in New York.

She had been my stenographer for a while in the consulate general in Shanghai.

Colonel McNally was a man I had known in China as a language student, had known him during the war. He went out to China originally in 1934, as aide to General Hurley, returned to Washington thereafter, and was at that time stationed at MIS.

J. K. Penfield is Mr. James Penfield. I gave his address at this time as CINCPAC, commander in chief of the Pacific.

Phoebe Reichner is this woman in OSS who was writing a biographic series, biographic data, whom I was assisting.

Lieutenant Colonel Roberts, his name appears in my pad. He was assistant public relations officer in Chungking.

Lt. Andy Roth we had mentioned.

Ray is a man who had been working for lend-lease out in China, and I had seen him off and on. He had made numerous trips to China, and was here in Washington with FEA.

Snow is Edgar Snow.

Next is Mrs. Harley Stevens. I am trying to think of a Mrs. Harley Stevens. The name does not mean anything to me now, but is an address with OSS, so it must have been somebody working in OSS, somebody in the Research Branch, who had got in touch with me.

Guenther Stein was a correspondent for the Christian Science Monitor and the Manchester Guardian.

Phil Sullivan was in Shanghai, and went to St. John's College. He was employed by the Department of State in the labor end.

Gen. J. W. Schulz is Brig. Gen. John Wesley Schulz, the brother of my wife's father. At that time he was a member of the engineering board. I think the head of the engineering board at Fort Belvoir.

R. M. Service is my younger brother.

George Taylor is a man I had known out in China, where he had taught at Yenan University, was in the University of Washington, and during the war was employed by OWI on Far Eastern operations, and I had had some contacts with him.

Terrell, I have already mentioned, was the British diplomat who was stationed in Washington, attached to the British Embassy, and I had known him out in China.

The next name is a mistake in copying and should be Tolstoi. He was at that time Major Tolstoi, an OSS officer I had met first in the extreme northwest of China in Lanchow. One of my reasons in going to Lanchow was to carry funds for him, and another officer, who had come from India through Lhassa, up to Lanchow. I saw a good deal of him subsequently in China, and at this time he was back in Washington.

Vino Gradoos, of course, I have already mentioned, was press attaché in Chungking at the Embassy.

Wilbur, I have mentioned as C. Martin Wilbur, at that time attaché to the Research and Analysis Branch of OSS.

Dick Watts is Richard Watts, who was for many years drama critic of New York Herald Tribune. During the war he was in China first for the New York Herald Tribune and later for OWI. I saw a good deal of him in Chungking, and at this time he had returned to the States.

Captain Weaver, as I mentioned, was a research analyst whom I had met.

Senator Lodge. Are you still in touch with Richard Watts?

Mr. SERVICE. No; I have not seen him since 1945.

Senator Lodge. How often had you seen him before that?

Mr. SERVICE. Well, I suppose in Chungking I saw him fairly frequently. I think I saw him once in the spring of 1945 very briefly. I have not seen him since.

Thelma Wolfe—the name does not mean anything to me now.

The last name is apparently a copying mistake. It should be Yar-doumian, Rose, whose name I have already mentioned.

Mr. MORRIS. I have no other questions.

Senator Lodge. I have no questions of Mr. Service. There are some questions I would like to ask of Mr. Morgan, due to the fact that Senator Green and I were away as a subcommittee of two, and the rest of the subcommittee very properly went ahead with the development of this case, and I have some points I would like to have cleared up.

I have had a chance to go through the transcript that was developed while Senator Green and I were away, and I have jotted down some questions I would like to ask you.

This first group can be answered "Yes" or "No" if you want to. You do not have to if you do not want to.

Does the subcommittee, or do you as the chief counsel of the subcommittee, feel that you have obtained clear-cut and convincing answers to the following questions:

Why was Jaffe permitted to plead guilty in a brief and almost unnoticed trial, and let off with a fine of \$2,500?

Mr. MORGAN. I would like to ask Mr. Service a couple of questions, first.

Senator LODGE. Yes.

Mr. MORGAN. Mr. Service, the question I am going to ask you now is, of course, one that probably calls for a self-serving answer, but it is one that I like to see any man in a similar situation place on the record, and that is this: I believe you have testified you have never been a member of the Communist Party; is that correct?

Mr. SERVICE. That is correct. I have never been a member of the Communist Party.

Mr. MORGAN. Have you ever knowingly associated with members of the Communist Party apart from the association in your official capacity with the Chinese Communists?

Mr. SERVICE. I have never knowingly associated with any Communists other than Chinese Communists in connection with my work in China. I am sorry, I have never knowingly associated with any Communists other than Chinese Communists and Russian diplomatic officials in connection with my official work.

Mr. MORGAN. If you care to, you may, I am sure, at this point indicate on our record your attitude and philosophy with respect to communism. I do not put that as a question. I thought, perhaps, you might want to indicate in our record your sentiments in that respect.

Mr. SERVICE. I am not used to talking about my personal intimate beliefs, but I will try to summarize them.

One has to start with some faith and, I believe, that life was not an accident, that there was a divine purpose, if you call it that, in creation, and particularly in creating man, as the highest and unique type of life.

What makes man unique is his spirit, his mind, his ability to reason; that our task, our mission, our responsibility, call it what you will, is to seek to realize our full potentialities as human beings; that we have had a few insights as to what these potentialities are through people like Jesus Christ.

This philosophy, if you call it that, is, of course, based on the deepest and fullest conception of the rights of the human individual and the dignity of man.

I think that the most important thing in the world is to give the fullest opportunity for us to improve ourselves and to realize our potentialities as human beings and as individuals.

Politically this philosophy, of course, is expressed in democracy, which is based on the rights of the individual, and the dignity of man. It is the exact antithesis of communism, which subordinates a man to the state which denies human rights, and which tries to fit it into a mold, according to a set dogma, which we know is false because it ignores the human spirit, based purely on economic terms.

I think that that is a brief expression of my beliefs.

Mr. MORGAN. Have you ever knowingly at any time submitted, as an officer of the Foreign Service of the State Department on your de-

tached duty, reports other than those which were, insofar as you were concerned, your honest conviction of the true facts?

Mr. SERVICE. I never have submitted any report at any time which was not my conception of the truth, of the true facts at the time.

Mr. MORGAN. Did you ever at any time seek to undermine the policy of this Government, as you knew it and understood it?

Mr. SERVICE. I never sought to undermine the policy of this Government as I understood it. In fact, I think I can conscientiously say that I always sought to further the achievement of this Government's policy.

Mr. MORGAN. I believe those are the only questions I have.

Senator LODGE. Will you give your definition of the word "Communist"?

Mr. SERVICE. A Communist, to my way of thinking, is a person who believes in the infallibility of Marxism, by which I mean a strictly materialistic interpretation of history; the dialectic of Marxism derived from Hegel, who submits himself to rigid party discipline, who adheres wholeheartedly to that dogma to which he is willing to sacrifice his own personal interests in the interest of following orders of the party.

Senator LODGE. Will you define for us the words "Soviet agent"?

Mr. SERVICE. Well, a Soviet agent does not necessarily need to be a Communist. I would say that he has to be so close to communism, however, that he is willing to forego or to abandon his own family, his own life, his own country, in the interests of serving the Soviet Government and the Communist Party.

Senator LODGE. I notice in your definition of "communism," you make no reference to its impact on religion or to its connection with Russia. Is there anything significant in that?

Mr. SERVICE. Well, economic materialism is a denial of religion. I did not tie up with Russia completely because I was thinking of communism in the broad sense as a theory.

Senator LODGE. I am talking about an active modern Communist today, 1950.

Mr. SERVICE. Well, here again we run into complications which, I think, confuse the issue. You could be a Yugoslav and be a Titoist, and still be theoretically a Communist with all the devotion to the dogma and the cause of Marx and all the economic materialism, and all the rest of it.

Senator LODGE. I am asking you to give me your definition of these things. I mean, you must have a definite idea in your mind of what the word "Communist" means to you. Let us take an American Communist, what is the relationship?

Mr. SERVICE. Well, an American Communist is certainly committed to the recognition of the overpowering interests of the Soviet Union. I have absolutely no doubt of that, and relating my definition to me, as an American, I would say that a Communist would have to be one who is committed to supporting the interests of the Communist motherland, the leading party of communism, which is the Russian Communist Party.

Senator LODGE. Thank you.

Mr. MORRIS. May I ask a question? Mr. Service, while you shared an apartment with Adler over the course of a year, as you testified, did

you find his views and his conversations and his outlook on life anti-thetical to yours?

Mr. SERVICE. Well, we did not argue very much. I don't remember discussing American affairs with him a great deal. I did not always agree with Mr. Adler or follow him on economic discussions, since his knowledge of economics was detailed and specialized, whereas mine was not.

Mr. MORRIS. How about his political views?

Mr. SERVICE. Well, as I say, we were so wrapped up in China, the Chinese theme, that I don't remember much discussion about the United States. Certainly, on China we agreed generally.

Senator GREEN. Are there any other questions?

Senator TYDINGS. I would like to request of you and your counsel that these things you have been requested to put into the record by Senator McMahon while he was here, and perhaps by others, while I do not press you after the ordeal you have been through down with the other hearing, and this one, I would still, however, while your testimony is current, like to get it with a fair amount of promptness so that we can put it in. When do you think you could give us that, Mr. Rhetts?

Mr. RHEUTS. We will prepare it. Since we have these materials essentially assembled, it will be a question of putting them together. We will prepare them tonight, and it is a question of getting them mechanically produced.

Senator TYDINGS. That is all right.

(Discussion off the record.)

Senator TYDINGS. I have no further questions. If there are no other questions, we will take a recess, and I would like to have the committee members to stay a minute.

Mr. RHEUTS. Before we leave, sir, I would like to offer for inclusion in the record at this time a letter addressed to you, Senator Tydings, and which was transmitted to Mr. Service, from Dr. H. C. Mei.

(The letter referred to is as follows:)

GRAND LODGE OF FREE AND ACCEPTED MASON'S OF CHINA,
Shanghai, China, April 18, 1950.

Hon. MILLARD E. TYDINGS,
Chairman, Senate Foreign Relations Investigating Subcommittee,
United States Senate, Washington, D. C.

DEAR SENATOR: As an American-born Chinese I have known for some 30 years Mr. and Mrs. Robert Roy Service, parents of Hon. John Stewart Service, and also the latter for over 10 years both in the United States and in China.

The late Mr. Robert R. Service was for probably two decades a secretary of the International Committee of Y. M. C. A's (headquarters in New York) and served most of that time as a Y. M. C. A. secretary in west China and Shanghai. He had traveled widely in all parts of China, beloved by thousands of Chinese of all classes, Christian and non. My family and I have been for many years intimate associates of the Service family in Y. M. C. A., Y. W. C. A., church, Rotary and Masonic activities in China. In all those organizations the Services, both father and son, always showed sympathetic understanding and had a genius for friendship with the Chinese people, especially with the underprivileged. These qualities characterize the whole Service family. I had come to know Robert and John Service quite closely in community church and Masonic lodges, and admire them for their genuine humanitarian spirit, their devotion to the Protestant missionary enterprises in China and their love of the Masonic craft.

I write this unsought testimonial, sir, not merely as a gesture of confidence in a brother Mason, nor yet as a friend of Mr. John S. Service and his truly Christian family, but fundamentally as one who keenly appreciates his char-

acter to be utterly alien to anything approaching Communist leanings. Who-ever possessed of such a proud educational, cultural, and religious background cannot easily stomach communism, and I am firmly convinced that Mr. Service's professional career negates everything communism stands for. I feel it is due to Mr. Service, as well as to your subcommittee interested in ascertaining the facts of his background, that I address you, for it speaks louder than words his loyalty to his country and the Protestant faith of which all the Services have been such outstanding exponents all their lives.

Very respectfully,

Dr. H. C. Merl.

(Whereupon, at 4:30 p. m., the subcommittee adjourned for the purpose of taking up other matters.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

MONDAY, JUNE 26, 1950

EXECUTIVE SESSION

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

The subcommittee met, following adjournment of the investigative session, at 4:30 p. m. in room G-23, United States Capitol, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel for the committee; Mr. Robert Morris, assistant counsel.

Senator LODGE. I can begin now by saying that Senator Green and I were out of the country for 11 days in connection with a subcommittee of two, of which we were members, and during that time the rest of the subcommittee very properly—

Senator GREEN. Are you counting the 11 days from when we went across the Atlantic and came back again?

Senator LODGE. No; that is 12.

During that time, the subcommittee very properly continued with that investigation, and I have now had occasion over the week end to read the transcript of the testimony that was taken while we were away, and I have jotted down some questions which I would like to ask Mr. Morgan, and he can answer them "yes" or "no" if he wants to, or he could answer them more in detail if he wants to.

Does the subcommittee feel that it has clear-cut and convincing answers to the following questions:

1. Why was Jaffe permitted to plead guilty in a brief and almost unnoticed trial and let off with a fine of \$2,500?

Mr. MORGAN. Yes, sir.

Senator LODGE. You think you have a clear-cut and definite answer to that?

Mr. MORGAN. Yes.

Senator LODGE. Why were charges against Lieutenant Roth, who had been indicted by the Federal grand jury, dismissed by the Government?

Mr. MORGAN. You mean insofar as the Department of Justice was concerned?

Senator LODGE. They did not prosecute Roth.

Mr. MORGAN. Yes, sir. So far as the Navy is concerned, we are trying to get a statement with respect to them.

Senator TYDINGS. Senator Lodge, if you will allow me to interject there, I have written to the Navy Department asking them why, notwithstanding the Department of Justice, did they not do anything. The letter has come into my office this afternoon, but I have not seen it.

Senator LODGE. In the case of Jaffe, is it because the evidence was polluted; is that briefly the reason why?

Mr. MORGAN. In answering the question as I did, Senator, we have obtained a full and complete explanation from the prosecuting officials who handled the case as to why they permitted the case of Jaffe to be disposed of as it was.

To my mind, all that we could hope to obtain on that score is now in our records.

Senator TYDINGS. We could criticize them, but we have got everything.

Senator LODGE. As I understand it, the question of tainted evidence is a question on which lawyers disagree among themselves, and not being a lawyer myself, I feel justified in making the suggestion—

Mr. MORGAN. I will be glad to answer your question.

Senator LODGE. For whatever it is worth, that an outside legal opinion be obtained as to whether evidence was tainted, even though it is obtained pursuant to a search warrant and everything else, which, I understand, was true in the case of the Amerasia documents.

Mr. MORGAN. The handling of the disposition of it insofar as Jaffe is concerned, yes; that was the prime consideration so far as the Justice officials were concerned.

The fact that they regarded the case to be fraught with a taint from beginning to end, which was exposed by reason of an affidavit by Mr. Larsen—

Senator LODGE. And the fact that they obtained a great many documents in a perfectly legal way does not, in your opinion, alter the fact that everything was tainted?

Mr. MORON. Well, in that regard, Senator, there is quite a story that we can go into on that, but I will handle it briefly in this way by saying that, as I understand, the Department of Justice's explanation and, of course, that is all we have, there were entries made of the premises which served as the predicate for the acquiring of the legal process employed in entering under a legal guise, and that, as a result of the prior illegal entries, they therefore vitiated the legality of the so-called legal entry. That is their position.

Senator LODGE. I would just like to suggest to you one thing.

Senator TYDINGS. Off the record.

(Discussion off the record.)

Senator LODGE. On the record, do not your investigations disclose that they made a number of legal entries into the Amerasia offices?

Senator TYDINGS. No.

Senator LODGE. Does not the record show that they obtained a great many documents by perfectly legal methods?

Mr. MORGAN. The record shows that the searches made in Amerasia headquarters were made incident to an arrest warrant calling for the arrests of Jaffe and Mitchell, let us say those two there.

Those warrants—and I am giving you now the version of the prosecuting officials—those warrants were based on evidence which, in their opinion, was not legally obtained and legally admissible, and inas-

much as the warrants were based on illegal considerations, the warrants themselves were not valid.

Now, going on, the Department of Justice, according to the testimony of officials who have here testified, authorized the prosecution of these defendants, knowing those facts on the theory, I presume, that what the defendants did not know would not hurt them. The case went on on that theory until one of the defendants, Larsen, found out what had happened, and filed a motion to quash. That motion, filed by Larsen, was the predicate for the action that was taken with respect to Jasse and with respect to Larsen.

Senator Lodge. Not being a lawyer, I am aware of the fact that lawyers disagree violently as to whether or not it is true that the fact that some evidence is obtained illegally vitiates all the rest of it, and I suggest that we be in a stronger position if we had a committee of lawyers who are in active practice of the law, to pass on that question.

Mr. Morgan. In that connection, Senator, when I refer to having in our records the story, I do not mean that they necessarily were right; I mean that we have the conditions and considerations which they say was responsible for the action which they took.

Senator Lodge. Have you got the answer to the question of why Larsen was let off with a "slap on the wrist?"

Mr. Morgan. Yes; we have the answers to that.

Senator Lodge. Have you got the answer to why the charges against those involved in the Amerasia case changed from conspiracy to violate the espionage statutes by stealing highly confidential Government documents to a simply charge of conspiracy to remove Government records illegally?

Mr. Morgan. We have that evidence in great detail.

Senator Lodge. Have you the answer to what methods were used to extract secret documents from the files of the State, War, and Navy Departments, the OSS, and the Office of War Information?

Mr. Morgan. I believe, pursuant to a specific question propounded by Senator Tydings, we have the FBI's complete version of it.

Senator Lodge. Have you got the answer to the question of what evidence was presented to the two grand juries?

Mr. Morgan. Yes. We have completely reviewed the proceedings of both grand juries, and in that connection, somewhere along the line someone has suggested that the proceedings of the first grand jury were missing. That is in error. We have reviewed the complete record of both grand juries.

Senator Lodge. Why was the first grand jury dismissed and the case taken before a second grand jury, despite the fact that Federal grand juries frequently are extended over their regular terms for uncompleted business?

Mr. Morgan. We have a complete answer with respect to that, if you would like for me to give it to you.

Senator Lodge. Was that the answer that Mr. Hitchcock gave, that the weather was insufferably hot?

Mr. Morgan. We have the answer of Mr. Hitchcock and also the answer of Mr. McInerney.

Senator Lodge. Well, the weather was pretty hot out in the Philippines where the soldiers were fighting.

Have you got the answer to the question as to why the Department of Justice felt that it had sufficient evidence to go before the Federal grand jury and move for an indictment against the six arrested defendants, and then subsequently decide that it did not have the evidence to prosecute the three defendants indicted to the fullest extent of the law?

Mr. MORGAN. The answer to that is part of my previous answer that they were proceeding obviously on the theory of what the defendants did not know would not hurt them.

One of the defendants, however, found out, which, according to the statement of the Department of Justice, destroyed their case.

Senator GREEN. You said what the defendants did not know would not hurt them.

Mr. MORGAN. Perhaps I should have said would not hurt the prosecution.

Senator LODGE. Do you know why the trial of Jaffe and Larsen was held in an unusual Saturday morning court proceeding without any newspapermen being present?

Mr. MORGAN. Yes, sir; we have that.

Senator LODGE. Have you the answer to why no evidence was presented to the presiding judge at Jaffe's trial with respect to Jaffe's notorious and well-known Communist affiliations?

Mr. MORGAN. We have the explanation of the responsible officials.

Senator LODGE. Does it satisfy you?

Mr. MORGAN. That is part of an ultimate conclusion that we will have to make, Senator. I think on the basis of the record I will be able to make a conclusion; yes, sir.

Senator LODGE. Why did Special Assistant Attorney General Robert Hitchcock permit the lawyer for Jaffe to make the statement of facts in the court? Is it not true that ordinarily in a guilty plea this is the job of the prosecutor?

Mr. MORGAN. In that regard, as I understand it, Senator, on the day prior to Jaffe's plea, every effort was made to prevent Jaffe's knowing of the fact that Larsen had filed a motion to quash.

As the result of this fact they, the Department officials, contacted Mr. Jaffe through his attorney, and recalled to the attorney's mind the fact that he had suggested several times, in discussions at least, the possibility of a plea, so Jaffe thereupon, with his attorney or, I believe it was just his attorney at this point, proceeded to the Department of Justice. There were Larsen in one room and Jaffe's attorney in another room, and the latter not being acquainted with what Larsen had done. The attorney for Jaffe committed himself positively to plead his client or the defendant Jaffe guilty, with the understanding that the Department of Justice would recommend a substantial fine.

Now, as I understand briefly the position of Mr. Hitchcock in this regard, he did not feel that he could make an arrangement or a commitment, as was made in that case and still go before a judge and literally attempt to "throw the book" at Jaffe, if you see what I mean. That is his position.

Senator LODGE. That they had made a bargain?

Mr. MORGAN. Substantially that; and, of course, I do not know whether you want my observation or comment on that, but arrange-

ments are made certainly every day between United States attorneys and defendants' counsel.

Senator LODGE. Well, with respect to that, during the war, of a United States attorney making a deal with a known Communist like Jaffe, will shock some people.

Mr. MORGAN. That is their explanation.

Senator LODGE. Do you know why Mr. Hitchcock told the court that he could complete the case in 5 minutes?

Mr. MORGAN. We know what Mr. Hitchcock had to say about it.

Senator LODGE. Do not worry, Mr. Chairman, I have not got much more.

According to a Scripps-Howard dispatch dated May 4, 1950,

Louis F. Budenz has notified the Tydings committee that he is prepared to testify about a series of frantic meetings called by the top leaders of the Communist Party after the Amerasia arrests,

and that Budenz specifically mentioned the name of Robert W. Weiner, formerly national treasurer of the Communist Party, as one who attended these meetings and proposed that the Communist Party raise funds for the Amerasia defense.

1. Is Budenz' letter a part of the record?

Mr. MORGAN. Budenz' testimony is part of the record, and I received a letter from Mr. Budenz in which he told me in the letter that Mr. Weiner apparently had a hand in endeavoring to arrange or to assist in financing the defense of Jaffe. That is all I have from him, which we can incorporate in the record at any time.

Senator LODGE. Does not the record also show that Jaffe paid Larsen's fine?

Mr. MORGAN. Larsen's fine?

Senator LODGE. Yes.

Mr. MORGAN. I believe that is Larsen's testimony.

Senator TYDINGS. Larsen testified to that effect.

Senator LODGE. Has the subcommittee called Weiner in connection with the handling of this phase?

Mr. MORGAN. It has not.

Senator LODGE. Do you think we ought to?

Mr. MORGAN. I think, Senator, the determination of that question will rest simply on this basis: We know Jaffe was a Communist; we know it would be logical for the Communist Party to try to help him in this defense. Weiner, being an active Communist, I do not think you would get "boo" out of him.

Senator TYDINGS. I would be willing to concede that he did try to raise money to try to help Jaffe.

Senator GREEN. If he did, you could not believe him.

Mr. MORGAN. That is right.

Senator LODGE. Is it true that at one of these meetings that Budenz refers to, that the suggestion was made that the Communist Party turn on Jaffe and accuse him of spying for Japan? Have you heard that?

Mr. MORGAN. No.

Mr. MORRIS. Didn't Budenz testify to that?

Mr. MORGAN. I believe, Mr. Morris, whether it was in his testimony or in his conversation, I believe Mr. Budenz did mention that the Communist Party was trying in every way to disassociate itself from Mr. Jaffe. I think that was substantially it.

Mr. MORRIS. Their first strategy was to say that Jaffe was a Nazi agent or Jap agent.

Mr. MORGAN. That is right.

Mr. MORRIS. And then to disclaim him. But then they thought it over and decided to change their tack.

Mr. MORGAN. As I said, Senator, I personally would be convinced that the Communist Party would break its neck to do everything it could for Jaffe. I have no doubt about it. I have no doubt about Jaffe's being a Communist, and I have a pretty good idea that Mr. Jaffe is an espionage agent.

Senator TYDINGS. It would be hard to prove, but I am inclined to agree with you.

Senator LODGE. Something is wrong somewhere, either in the enforcement of the law or the writing of the law, when in the middle of a war we have got to make a bargain and a deal with a character like Jaffe.

(Discussion off the record.)

Senator LODGE. On the record, has Jack Stachel, one of the eleven convicted Communists in New York last year, been contacted with respect to his knowledge of the Amerasia case?

Mr. MORGAN. When Mr. Budenz testified he suggested the calling of Browder, Field, and Stachel, with a view to going into the question of Mr. Lattimore's having Communist connections.

We subpoenaed all three of them. Field and Browder, as you know, both testified, and, in pertinent parts of their testimony, declined to answer questions.

With respect to the Stachel subpoena, his doctor certified to the court that he has a very bad heart attack, confining him to his home. Now, of course, I do not know how much credence we can place in that. All the Communists up there sought to obtain permission from the court to make a Nation-wide tour, of those that were prosecuted successfully, and incidentally, I submitted an affidavit in which I stated that Stachel has said that he had been confined to his home, and I understand that was part of the reason for the court's denying the request to permit them to go about the country.

Now, insofar as Stachel himself, as a witness here is concerned, I think, Senator, that he has probably been the leading Communist in the country, at least openly, the most effective one, and I do not think we have any hope of getting anything from him. I personally would recommend against calling him or insisting upon compliance with the subpoena.

Senator LODGE. Have you seen Budenz' testimony before the House Un-American Activities Committee, that Lieutenant Roth was instructed to contact Alger Hiss to see if the latter could use some influence in the case? Has the subcommittee looked into this angle of the case?

Mr. MORGAN. That is testimony of Mr. Budenz?

Senator LODGE. Yes.

Mr. MORGAN. I had not seen it, and if there is such testimony, I certainly would like to get it.

Senator TYDINGS. We will get it.

Senator LODGE. I suggest you look it up.

Mr. MORGAN. May I ask, for my guidance and assistance, do you know anything about it, Mr. Morris?

Mr. MORRIS. No.

Mr. MORGAN. I am not prying, but what is the source of this?

Senator LODGE. My assistants developed this. Ask them.

Senator TYDINGS. The House Un-American Activities Committee.

Senator LODGE. According to Budenz' testimony before the House Un-American Activities Committee, Lieutenant Roth was instructed to contact Alger Hiss to see if the latter could use some influence in the case.

Why have we not called General Donovan to tell what he knows about the case?

Mr. MORGAN. I will answer it to this extent, Senator. Two of the members of our staff interviewed General Donovan concerning the Amerasia case, and the general advised them, asked them if they had talked to Mr. Van Buren, and they said they had not. He said that they should talk to him, that he knew about it as much as he, General Donovan, did. We did call Mr. Van Buren.

Senator TYDINGS. He did not know anything.

Senator LODGE. I read his testimony.

Mr. MORGAN. We have the complete memorandum concerning the interview of General Donovan, which I want to put in the record before our proceedings are concluded.

Senator LODGE. Is that illuminating? Is there much in it?

Mr. MORGAN. Very little, Senator.

Senator LODGE. Why have we not asked J. Edgar Hoover for his opinion respecting the evidence in the case, and for confirmation of the reported statement that he felt that the FBI had an airtight case?

Mr. MORGAN. Well, with respect to the matter of opinion, of course, I would be very happy to see Mr. Hoover appear at any time, but I think, consistent with the rather settled policy of the FBI, he would decline to express an opinion with respect to legal matters affecting a case in which his men had developed the facts.

I think that is rather a consistent policy, and probably a rather good one.

Now, with respect to this 100-percent airtight matter, all I know about that, of course, is the letter which Mr. Peurifoy read into our record, in which Mr. Hoover, according to the record, is supposed not to have made this statement.

Now, if it is regarded as of paramount significance, and the committee wants Mr. Hoover, my feelings would be purely in the middle on that. We know all the facts about the case, and irrespective of any man's opinion as to what it might be, and Mr. Hoover's opinion would certainly be a good one, of course, I think we, having the facts as we do, certainly ought to be able to pass judgment on those facts.

Senator LODGE. Well, it seems to me that the Amerasia case, everyone must admit, the Amerasia case, marked a failure in a great many respects, and Mr. Hoover's opinion as to why the failure existed in certain respects, would be interesting and, of course, I would be tremendously interested to know Mr. Hoover's opinion as to the credibility of some of these people.

Senator TYDINGS. He would not give it to you, I believe.

Senator LODGE. Now, the credibility of Budenz' opinion on that, what his credibility is. I do not know what basis he would have for expressing an opinion on that.

Mr. MORGAN. Incidentally, we requested an estimate of Mr. Budenz' credibility from the Department of Justice, and they have replied that a man's credibility or a witness' credibility must be determined incident to each particular proceeding; in other words, they would not pass judgment on that, and that, of course, would not indicate that he was not a highly creditable and credible witness at all, but that has been their position, I am quite sure it is rather consistent with their policy.

Senator GREEN. It would be unfortunate to call him and not get any information from him at all, a declination of one kind or another.

Senator LODGE. Well, I am not going to admit that that is what would happen. I think if he came up here he would be obliged to inform us.

Senator GREEN. That is the policy of the Department, we have been told over and over again.

Senator LODGE. I have been told that the policy of the Department is not to make any conclusions.

Mr. MORGAN. As to the picture here, I think all matters relating to situations of this kind are clear. I think Mr. Morris approached the FBI on some questions, and I believe they had to clear them with the Department of Justice, and then get the release, so on that score I think the position has been very consistent, I believe. I do know it was for the 8 years I was with the FBI, that the Bureau, by reason of the fact that it is an investigative fact-finding body, declines to assume to pass judgment upon those facts, saying that is a responsibility of the prosecuting officials. They have always insisted that the very minute they assume to pass judgment on facts they become not an investigative agency, but a body that might conceivably be fraught with some of the aspects of a gestapo, which Mr. Hoover has certainly tried to avoid.

Senator LODGE. I do not want him to be a gestapo, but I think there is something less than satisfactory—

Senator GREEN. That is the distinction. One draws the facts, and the other prosecutes.

Senator LODGE. I have never studied the set-up of the gestapo, I am not an expert on it, and I do not know anything about it. But I certainly think there is something less than a satisfactory handling in reading these files, and finding this serious allegation of the person, and reading through the file, and there is no confirmation of it. I think they could confirm some of these facts without becoming a gestapo.

Mr. MORGAN. Are you referring now to the Amerasia situation or the loyalty files?

Senator LODGE. I am off that.

Now, the record indicates, as I read it, that immediately after the Amerasia raid there was this apparently concerted outbreak in certain newspapers by certain writers that the issue involved was the freedom of the press, and it came very quickly and with apparent unanimity, indicating some sort of teamwork. Have you looked into that?

Mr. MORGAN. You mean about the press coverage of the Amerasia case?

Senator LODGE. About the unanimity of the argument, and the unanimity of timing.

Mr. MORGAN. Senator, I have not the slightest doubt but what every leftist publication or every pinkish publication in this country went all-out to try to present this case in the least significant light.

Senator LODGE. And that they were tipped off from a central source?

Mr. MORGAN. You mean after the arrests were made?

Senator LODGE. Yes.

Mr. MORGAN. I have not sought to make any inquiry with respect to the press coverage, but I would not have the slightest doubt but what they would try to play it down in every conceivable way.

Senator LODGE. Have you found out who was responsible for permitting Roth to obtain a commission in the United States Navy?

Mr. MORGAN. That is what we were trying to find out.

Senator TYDINGS. I called the Secretary of the Navy today and told him I had had an inquiry down there for 2 weeks, and I was very disappointed. We are getting along with our hearing very well, and I wanted to get it in. He said, "It is a funny thing; it is on my desk now, and I wanted to make sure that we answered your queries thoroughly and comprehensively, and that has caused the delay." He said, "It will be up there today."

Senator LODGE. Have you got any information concerning Roth's connection with the Communist Party?

Mr. MORGAN. We have in the record—it is incorporated by reference in the record—the FBI testimony indicating the nature of Roth's affiliation with Communist groups and organizations.

I think you will also find, Senator, that in the Hobbs' committee testimony an indication of the fact that a man's having Communist connections at the time of the war was not a bar, strange as it may seem, to his obtaining a commission in the Navy.

Senator LODGE. Have you obtained yet that military evaluation that I requested several weeks ago of the importance of these Amerasia documents?

Mr. MORGAN. No; we have not obtained a military evaluation of them, Senator. The staff, however, has reviewed every one of them.

Senator LODGE. Well, what I wanted, when the Department of Justice came in here and made the astounding statement that in their opinion these documents were nothing more or less than tenebrous gossip, and they were silly, I requested that we obtain naval opinion from the Navy on the naval documents, and Army opinion on the Army documents to see whether they were silly or not, and I think it is very pertinent in view of the fact that the Department of Justice took it upon itself to pass expert judgments on military matters.

Mr. MORGAN. Senator, if I may be pardoned an explanation here, I would like to give it as to that.

The crime which these people were charged with was a conspiracy under section 88 of the code. The punishment for conspiracy, the maximum punishment under the law, is 2 years which, incidentally, happens also to be the maximum punishment for conspiracy to steal national defense documents.

Now, any conspiracy to violate any Federal law, no matter what it is, is 2 years.

Under the one statute they had to prove as an element of proof that these documents related to the national defense.

They had another statute under which they did not have to undertake this burden of proof, and yet under either statute they could secure the same punishment for the defendant.

They, therefore, laid the predicate for their prosecution on that statute which did not require the element of proof with respect to the character of the documents. In other words, they just side-stepped the problem of having to make that additional order of proof, and that was done, as I understand it, by reason of their feeling that in all probability there were a great many of these documents which they could not sustain as national defense documents in the mind of a court or in the mind of a jury. That is the only way, as I understand it, in which this question of the character of the documents enters the picture, because I think everybody admits that Jaffe et al. had no business with the documents.

Senator Lodge. Well, I think, leaving out the legal technicalities, it must be obvious to everyone that it is a matter of the utmost importance as to whether these documents were important documents or whether they were silly tract p-gossip documents.

It seems to me that is fundamental in this whole thing, because if they were silly, we are wasting our time, because at the very opening of this meeting, Mr. McInerney made that statement; it was extraordinary statement to make because it, in effect, says "That we in the Department of Justice are better qualified to pass on military documents than the military."

I think it is very important to get military statements on these documents to see whether they are important or not.

Mr. Morgan. You see, the only consideration from the prosecuting standpoint that entered into the Department of Justice's view of the case was whether or not these documents related to the national defense. Now, the case of Goren versus the United States has laid down what a document is which is related to the national defense, and by that standard, with which the Department of Justice was confronted, they felt they could not sustain a substantial number of these documents, as such. For that reason they laid the predicate for the prosecution without having to go into it.

Senator Tydings. The burden of proof.

Senator Lodge. Why did he come in here the first day and presume to belittle it?

Mr. Morgan. He did so, Senator Lodge, in the light of the requirement of the law that they be national defense documents. I think that is what he was doing, and that was what Mr. McInerney, I am sure, was talking about. It is what he so said today.

Senator Lodge. When the law lays down a criterion as to what is a national defense document—

Mr. Morgan. The law requires that the documents, to come under that particular portion of the statute, must relate to the national defense documents. Whether they are or not documents relating to the national defense, as the statute requires, is a question of fact to be determined by a jury or by a court sitting without a jury. The case of Goren versus the United States is, perhaps, the leading case on what it takes to constitute a national defense document and, I think, Senator, upon reading that case you will find and agree that a very great many of these documents, while significant, could not be sus-

tained as national defense documents—as documents relating to the national defense.

Mr. MORRIS. Even if some of them were?

Senator GREEN. Yes. Why was it necessary to prove all of them were?

Mr. MORRIS. If some of them were, that is enough.

Senator TYDINGS. What Mr. Morgan is commenting on is not that some of them were not.

Senator GREEN. If any of them were that would have proved a case.

Senator LODGE. If the War Department had decided that a document ought to be top secret would that not tend to persuade the average member of the jury?

Mr. MORGAN. In Goren versus the United States the court pointed out quite clearly that the fact of the classification did not ipso facto make the document one relating to the national defense. You see, that is something that has to be established by independent proof and, as I have said, the Department of Justice sought to avoid having to make that additional proof when they had two statutes under each of which there could be meted out the same punishment to the defendant. That is what I am trying to say.

So, in contemplation of the punishment possible, the question of the documents becomes in that sense an academic one because the punishment would have been the same in either event.

Senator LODGE. Why does he want to run down the importance of the documents?

Mr. MORGAN. I am not here to defend Mr. McInerney, but he was doing that to explain to us just why it was that they changed the predicate of the prosecution from one section, section 31, to the section dealing with embezzlement, because the first section required the establishing as an independent element that the document related to the national defense.

Senator TYDINGS. And the penalty was the same no matter which one of those statutes they were tried under.

Mr. MORGAN. Mr. McInerney not being here, in fairness it should be said that his answer was right in line with the question we asked. Why was it that they shifted from the conspiracy to commit espionage under section 31, to conspiracy to embezzle documents, and that was part of the testimony in explaining why he did it.

Senator LODGE. I certainly would like to get a military judgment on those documents.

Mr. MORGAN. I personally, Senator, am willing to concede for the purpose of our present discussion that every one of them might have been a military document.

Senator LODGE. All through that record you can see page after page after page—I have jotted it down wherever it occurred—almost every witness except Mr. McInerney says that these documents were important.

Mr. MORGAN. It is all through the record.

(Discussion off the record.)

Mr. MORGAN. From reading the grand jury testimony apparently Mark Gayn made quite a point of the fact that it was a common practice to pass on information of this kind. As I understand it, the grand jury was apparently impressed with that, at least they did

not indict him, and I think that they—probably if the grand jury had the job of also taking those documents and making the additional finding that they related to the national defense in contemplation of such testimony, that it might have been difficult securing the indictments that they did secure. I do not know that to be true, but it is merely in consideration of the question you just asked. Of course, I do not know that, it is only a thought.

Senator GREEN. Then it was a mistake in bringing the first indictment.

Mr. MORGAN. No. You see, there was no first indictment. At the time the complaints were filed for the warrants of arrest, they were filed charging conspiracy to violate that section, conspiracy to purloin documents relating to the national defense.

At that time they felt that was the theory of the case they wanted to proceed on. As they studied the documents subsequently, they felt they wanted to avoid taking on that burden.

Senator TYDINGS. And the penalty was the same in both cases.

Senator LORRE. So far as I am concerned the thing was terribly important. It is important in two things. I think most of the documents themselves are intrinsically important and could have involved life and death.

Mr. MORGAN. There were important documents; no question about it.

Senator LORRE. There was no earthly reason for coming up here and telling us that they were not important.

Secondly, the thing was important because it opened up probably the most used source for obtaining documents for foreign governments, and it gave the other departments leads that were useful to them in preventing the purloining of documents for foreign governments in the future; so I think the thing is very important, and no good purpose is served by trying to pretend that it is not.

On May 26 Hitchcock testified that Gayn, one of the six that were arrested in the Amerasia case, had received Government documents from two Government employees identified as George Edward Taylor, Deputy Director of Area 3, OWI, and from Taylor's subordinate, Elizabeth Downing Barker.

Hitchcock also said at the time Gayn was arrested, the FBI seized 60 items, of which 22 were Federal Communications Commission reports and about 20 were copies of State Department papers.

Has the subcommittee further pursued this line of inquiry, particularly with reference to the two Government employees named, with a view of determining whether any leads into the State Department could be established?

Mr. MORGAN. Both of those parties testified before the second grand jury, and we have reviewed their testimony. Mrs. Barker testified that she did give those documents, OWI documents, to Gayn, declassifying them as she did.

The other documents, according to the evidence, Gayn probably obtained from Jaffe. I do not think there is any question that she gave him copies of the others.

Mr. MORRIS. How about Taylor?

Mr. MORGAN. Taylor, there is a discrepancy in the record. Taylor indicated he did not extend such authority to Mrs. Barker, and Mrs. Barker said that he did. Manifestly, of course, the grand jury had

them before it, and apparently chose to believe Mrs. Barker because they did not return a true bill against Gayn.

Senator LODGE. Taylor and Barker are still in the Government?

Mr. MORGAN. Not to my knowledge either way; I do not know.

Mr. MORRIS. There is some testimony today about George Taylor.

Senator LODGE. Does it not seem to you that we ought to call Mrs. Blumenthal, who was mentioned several times during the testimony, and who purportedly typed for Jaffe the Government documents?

Mr. MORGAN. I think we have the testimony of Inspector Gurnea on that to the effect that it was admitted that Mrs. Blumenthal did type the documents, but it was felt she would probably be better in the capacity of a helpful witness rather than a defendant. We have that available to us.

Senator LODGE. Have you tried to find out why Lieutenant Roth was not court-martialed by the Navy for his complicity?

Senator TYDINGS. Yes; I have asked for it. It is all in this letter. I wrote 2 weeks ago and asked them why they had been taking all this time.

Senator LODGE. There were thousands of people who were court-martialed for infinitely less.

Senator TYDINGS. He should have been court-martialed whether he was guilty or not.

Senator LODGE. When Larsen's motion to suppress was served on the Department of Justice, has the subcommittee determined whether the FBI was asked to prepare a report of the facts concerning the seizure of the documents for the use of the Department of Justice in litigating this question?

Mr. MORRIS. May I at that point say, Senator, that I have addressed an inquiry to the chairman of the committee, and I understand the inquiry has been passed on to the Justice Department. I have renewed it three times that we get the FBI memorandum which was a refutation of the affidavits set forth by Larsen's attorney.

Mr. MORGAN. Well now, my recollection of that, Mr. Morris, is that it was a refutation in this sense: In his affidavit Larsen charged FBI agents with certain conduct which, if true, would be improper on the part of agents effecting an arrest.

The memorandum which the FBI had submitted, as I recall, was a memorandum designed to show the true facts, to show that the acts of the agents were proper under the true facts, and it was not a memorandum directed to the legal sufficiency of Larsen's motion to quash.

Mr. MORRIS. It was directed to the facts—

Mr. MORGAN. It also went into the question, also pointed out, of course, the fact that Larsen had moved from one apartment to another, but I repeat, Mr. Morris, that the FBI's memorandum was directed to facts, with respect to the performance of its agents rather than to the question of the legal sufficiency of Larsen's motion.

Now, I am sure if we make an effort, Mr. Chairman, we can get that memorandum without too much difficulty.

Senator TYDINGS. Of course, I agree with what you said, and we have, in addition to that, the statement of the Department of Justice, which is the FBI, showing the number of times they went into these various places, so that the facts were pretty one-sided on that score.

Mr. MORRIS. But an entrance there, Senator, is not necessarily illegal. That is one of the determinations we have to make here. An entry into a house or into premises by the FBI is not necessarily illegal.

Senator TYDINGS. Without a warrant?

Mr. MORRIS. Without a warrant it is not. If they go into the premises in order to determine the scope or the direction of enemy agents and what they are doing, that is one thing. If they go in to collect evidence to be used in prosecution, that is a second thing. I think that is the distinction.

Senator TYDINGS. I think I will be able to give you in our final testimony a complete picture of all of that, which I am not in a position to give you today because I have not it complete, but I am having that complete picture perfected and it will be right in the middle of the record.

Senator LONG. Of course, it is customary for the FBI to prepare a report on the occurrence of such a thing.

Mr. MORGAN. I have not seen this complete report except that my understanding of what it is, because I have been told—

Senator LONG. It does exist?

Mr. MORGAN. But, as I understand it, it was a memorandum of the FBI which it would certainly always want to do if any of its agents was charged by anyone by having indulged in or engaged in improper conduct. I think our problem will be resolved when we get it, as we will.

Senator LONG. You will have a chance to study it.

(Discussion off the record.)

Senator LONG. Let me ask you this. It is apparent to me from reading this record that the attorneys for the Department of Justice in their heart of hearts thought that Jaffe was guilty, but they thought the evidence was tainted for some legalistic reason. Why did they proceed to go before two grand juries with this evidence in an attempt to obtain this indictment if they thought the evidence was tainted?

Mr. MORGAN. That is what I am trying to tell you. If I understand the testimony, pursuant to a specific question I asked Mr. McInerney, apparently they were operating on the principle, whether rightly or wrongly, that what the defendants did not know about the prior entries would not hurt the prosecution.

When one of the defendants did find out about what happened, then it was quite a different matter.

Senator LONG. If they had this feeling in their bones, as apparently they did, that Jaffe was guilty, why didn't they try to get him some other way? After all those of us who are not lawyers, we constantly see—take the case of Al Capone; they could not get him from bootlegging, so they got him on his income tax, and we know that when lawyers want to get somebody they have lots of ways.

Mr. MORGAN. Right now we have a way to get Jaffe if all of you gentlemen will sign that contempt citation.

Senator LONG. It may. Why did they not make any effort to get him on his income tax, do you know? Does the record show?

Mr. MORGAN. No; I do not know that they deliberately set out to get Jaffe after the case was disposed of, as it was.

Senator Lodge. If they felt, as Mr. Hitchcock apparently does feel, from reading the record, why didn't they try it? There was a war on, after all, and fellows were being killed.

Mr. Morgan. Of course, I do not know that the prosecuting officials of the Justice Department, when a case is disposed of not to their liking, I do not know whether they try to set out to get a guy.

Senator Lodge. Look, what they did to Al Capone. There was not even a war on. They got him on his income tax. He had not done anything as bad as these fellows!

Mr. Morgan. I do not know.

Senator Lodge. I am asking you.

Mr. Morgan. I do not know, Senator, why they did not go after him in some other fashion. I do not know whether Mr. Jaffe violated the income-tax laws, and I do not know whether they would have been constantly checking on him.

Senator Lodge. I think they would have told us if they had, don't you think?

Well, the record shows that Jaffe bribed Larsen to get the documents. Why didn't they go after him on a bribery charge? It is illegal to try to bribe somebody.

Mr. Morgan. As I understand the record, Senator, it would be a characterization of the testimony to say that Larsen was bribed. Larsen has said consistently and insistently that he received no money from it. It is known that Mrs. Larsen typed at Larsen's apartment the documents for which Jaffe gave her money amounting to as much as \$75, \$100 a month.

Senator Lodge. There you are, and certainly it must be against the law to bribe a man who is working in a Government department. Why did they not go after Jaffe for that?

Mr. Morgan. I doubt, Senator, very much on the basis of the evidence and, of course, it would require a check from the particular standpoint of the bribery statute—I doubt very much if the bribery evidence in this particular case would sustain a bribery count.

Senator Lodge. You certainly will not accomplish anything if you do not try. If you take counsel with fears and try to see all the obstacles, why, of course, nothing is ever accomplished. Thank you.

Mr. Morgan. Correct.

Senator Green. I would like to have a discussion off the record.

(Discussion off the record.)

(Whereupon, at 5:25 p. m., the subcommittee adjourned subject to the call of the Chair.)

STATE DEPARTMENT EMPLOYEE LOYALTY INVESTIGATION

WEDNESDAY, JUNE 28, 1950

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
SUBCOMMITTEE APPOINTED UNDER SENATE RESOLUTION 231,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee met, at 2 o'clock p. m., in room G-23, United States Capitol, pursuant to adjournment Monday, June 26, 1950, Senator Millard E. Tydings (chairman of the subcommittee) presiding.

Present: Senators Tydings, Green, McMahon, Hickenlooper, and Lodge.

Also present: Mr. Edward P. Morgan, chief counsel of the subcommittee, and Mr. Robert Morris, assistant counsel of the subcommittee.

Senator TYDINGS. We have had prepared citations for contempt with respect to Browder, Field, and Jaffe which will be reported to the full committee for action, with our recommendation that the full committee put them in the hands of the proper officials of the courts for prosecution.

Shall the record show that it is the sense of the committee that that action be taken?

Senator LODGE. Yes.

Senator GREEN. I make that motion.

Senator TYDINGS. Do you second it, Cabot?

Senator LODGE. Yes.

Senator TYDINGS. It has been moved and seconded that the three citations enumerated be approved as the sense of the committee and the full committee be asked to take appropriate action thereon.

Senator HICKENLOOPER. Now I have something I want to say.

Senator TYDINGS. Do you want to vote on it first?

Senator HICKENLOOPER. No. I want to make a statement before we vote. I think such action should be taken. I am not hostile to it. The only point I want to raise is that the citation, drawn by counsel, was submitted to me the other day, and I didn't sign it at that time because I said I merely wanted to discuss the adequacy of the citation. Now there are only two or three things in there which are referred to, and I wanted to raise the question, because I am not familiar enough with the citation, as to whether or not we should certify the whole record of these people or just hang our hat on one of two things.

Senator TYDINGS. What is your thought?

Mr. MORGAN. The answer to that, Senator, is this. In the body of our report relative to the citation, we certify the entire record and the portions of the testimony quoted by it are illustrative of the predicate which we feel properly lies in their cases. In other words, the entire record is certified, and the United States attorney's office will have it all available incident to prosecution.

Senator TYDINGS. Are the pleadings sufficient?

Senator HICKENLOOPER. That is exactly what I am raising. Is the citation for contempt limited solely to the things you set out in our certification as the things we are supposed to sign, which I am perfectly willing to sign if they are adequate, but I merely wanted to be sure that counsel is of the opinion that we are not circumscribing ourselves by only referring to these things by way of illustration.

Senator TYDINGS. Is the citation so drawn that the entire testimony is a part thereof for the purpose of pleadings?

Mr. MORGAN. Yes. There can be no question about that under the law.

Senator TYDINGS. That is the answer.

Senator HICKENLOOPER. That was the only thing I wanted to be sure was in the record.

Senator TYDINGS. Where are the signatures you want?

Senator HICKENLOOPER. I would like the record to show that we are not limiting ourselves to two or three specific illustrations or citations.

Senator TYDINGS. Let's move along. What is your next problem?

Senator GREEN. We haven't put the motion to a vote yet.

Senator TYDINGS. All those in favor will signify by saying "Aye." (Chorus of "ayes.")

Senator TYDINGS. Opposed?

(No response.)

Senator TYDINGS. Present are Senators McMahon, Green, Lodge, Hickenlooper, and Tydings. All votes are in the affirmative.

Mr. MORGAN. Pursuant to various requests we have made of different agencies of the Government, we have received certain replies, most of which are addressed to you as the chairman of the committee. I think that this material all has relevancy to these proceedings and, with your permission, I would like to indicate, one by one, what they are and, if agreeable, incorporate them in the record.

Pursuant to a request made of the Department of Justice by the chairman relative to some conflicting information which we have concerning the entries and the character thereof made by representatives of the Department of Justice in the course of the Amerasia investigation, we now have a reply, dated June 13, 1950, to the chairman, indicating the occasions upon which the premises of Amerasia, Mark Gaynor's residence, the apartment of Kate Louise Mitchell, the apartment of Philip Jaffe, the apartment of Larsen and Andrew Roth were entered.

(This letter is retained in the confidential files of the committee.)

Mr. MORGAN. At one point in our record, an inquiry was made by one of the members of the committee—as I remember, it was you, Senator Lodge; correct me if I am wrong—concerning the departmental observation relative to the credibility of Mr. Louis F. Budenz.

We have a letter, dated May 16, 1950, addressed to the chairman, as follows:

Reference is made to your letter of May 5, 1950, to the Attorney General requesting the Department's observations concerning the credibility of Louis F. Budenz as a witness.

It is the Department's view that the tribunal before which a witness appears is and should be the complete judge of the credibility of the witness, since this judgment is based upon the evidentiary matter involved and the numerous elements involved in the confrontation process.

You will, I believe, completely understand the Department's regret that it cannot be of assistance to you in your evaluation of the testimony of Mr. Budenz.

PEYTON FORD,
The Assistant to the Attorney General.

Senator LODGE. I do not understand it at all. I think it is a most unhelpful answer. I don't agree with it, and I think it is a great pity we can't have J. Edgar Hoover before us. I made the statement many times and I repeat it now: I regard that letter as most uncooperative.

Senator HICKENLOOPER. I might say it is a remarkable thing that the Department of Justice will put this man on the witness stand and say to the jury that this man is to be believed as a part of the prosecution of this case and then say in a letter that they will not pass on his credibility.

Senator TYDINGS. I understand it is a time-honored custom of the Department of Justice not to pass on the credibility of any person who gives information.

Senator LODGE. Some customs are held a little too long. I think it is about time they changed that custom.

Senator TYDINGS. You have a point there, but I am just passing on to you the facts. They say they are an investigative agency, not a fact-finding agency. Go ahead, Mr. Morgan. Do you have all this to go through?

Mr. MORGAN. Yes.

Senator TYDINGS. We had better get along, then. Go ahead.

Mr. MORGAN. Maybe we could expedite this if I would characterize the documents, unless there is an objection, and we will just let the reporter copy them.

Senator TYDINGS. All right, do that, then.

Mr. MORGAN. We have here a letter dated May 4, 1950.

Senator HICKENLOOPER. Just before you go into that, did any of you gentlemen receive a copy of a letter, either from the prosecuting attorney in New York or one of them to Mr. Budenz or to somebody else, stating his belief as to the credibility of Mr. Budenz? It seems that I got a copy of it.

Senator TYDINGS. I haven't got any copy that I recall, but even if I had, it would only be opinion evidence. It wouldn't be a fact. His credibility here will have to be judged by us, not in some other case.

Senator HICKENLOOPER. I am only talking with reference to this letter of the Justice Department. I have seen a copy of a letter from the prosecuting attorney.

Senator TYDINGS. To whom was it addressed?

Senator HICKENLOOPER. I think it was addressed to Budenz. I think he sent me a copy of it and said he sent you a copy of it.

Senator TYDINGS. I don't recall getting it.

Mr. MORRIS. I think, Senator, in the distribution of it, that was the letter which was addressed to you.

Senator TYDINGS. Put it in the record, if you have it. I have no objection to it. Put it in the record, if any of you have it.

Mr. MORGAN. To make clear why this was read into the record, it was for the purpose of clearing up a specific request on the record relative to the Department of Justice. That, of course, is why I incorporated it, to clear that up.

Senator LODGE. It doesn't clear that up at all, I am sorry.

Mr. MORGAN. That is the best we could do.

I have here a letter from John Foster Dulles, making reference to certain testimony of Freda Utley relative to the employment of Alger Hiss at a time coincident with Mr. Dulles' association with the Carnegie Foundation, which he has requested that we incorporate in our record.

Senator TYDINGS. He has?

Mr. MORGAN. Yes. Without objection, I assume that is satisfactory, Mr. Chairman?

Senator TYDINGS. We will read any document in full that you want, but unless you want them read, we will just designate what some of them are and let them go in.

Senator HICKENLOOPER. Does this letter take issue with what she said?

Mr. MORGAN. Yes. It is short. I will read it.

Senator TYDINGS. All right.

Mr. MORGAN. It is dated May 4, 1950:

MY DEAR SENATOR TYDINGS: I am informed that on May 1, Freda Utley in her testimony before your Foreign Relations Subcommittee stated that I had recommended the appointment of Alger Hiss as president of the Carnegie Endowment for International Peace at a time when I had been furnished with information that Hiss was a Communist.

That is untrue. The first intimation I received that Hiss might have Communist affiliations came to me after, not before, his election on December 9, 1946.

If you or any member of your subcommittee deems the matter of sufficient importance, I should be happy to appear personally and, under oath, to state the facts.

In any event you may, perhaps, put this letter into the record.

Sincerely yours,

JOHN FOSTER DULLES.

Senator TYDINGS. That has nothing to do with this case. It is clearing up his own position.

Let us go off the record for a second.

(Off the record.)

Senator TYDINGS. On the record.

Mr. MORGAN. Next is a letter, dated May 19, 1950, addressed to Senator Tydings.

Senator LODGE. From whom?

Mr. MORGAN. From the State Department. It reads as follows:

In accordance with your request, this is to advise that the records of the Department have been thoroughly checked and it has been ascertained that the following individuals, whose names are included on the McCarthy list, have never been employed by or connected with the Department of State in any way.

Then I will give you the numbers corresponding to their names as they appear on the subpoena list of the so-called 81. They are numbers 29, 19 and 20. This letter is signed John E. Peurifoy.

Senator TYDINGS. How many of them are there?

Mr. MORGAN. Three. If you would like the names off the record, I will give them to you.

Senator TYDINGS. No, I don't think it is important, unless the committee wants them.

Mr. MORGAN. Pursuant to a request made of me by Mr. Morris relative to appearances of Lattimore before the Foreign Service Institute, I have a letter here, dated May 25, 1950, from the State Department, as follows:

DEAR SENATOR TYDINGS: I understand that your subcommittee is interested in learning of any occasions on which Mr. Owen Lattimore has lectured for the Foreign Service Institute. Mr. Lattimore's only lecture at the Foreign Service Institute was one given on June 5, 1948 as part of the "Meet the Public" program of the Department's Office of Public Affairs, as referred to in my letter to you of April 17, 1950.

His only other connection with the Institute arose from the Department's contract with Johns Hopkins University in relation to the University's Mongolian language project, which is also covered in the letter of April 17.

Sincerely yours,

JOHN E. PEURIFOY.

I might say, in passing, that I have the letter of April 17, which I will incorporate here in a few moments. This letter I would like to have incorporated, without objection.

(The letter, submitted by Mr. Morgan, is as follows:)

DEPARTMENT OF STATE,
Washington, April 17, 1950.

The Honorable MILLARD E. TYDINGS,
United States Senate.

MY DEAR SENATOR TYDINGS: Following Senator McCarthy's statement on March 21 that a top Russian espionage agent, whom he privately identified as Mr. Owen Lattimore, was an employee or consultant of the State Department, I submitted to your subcommittee a brief statement of Mr. Lattimore's connections with this Department, as revealed by a careful check of our personnel records. Since Mr. Lattimore has been publicly identified and since there has been considerable public discussion concerning his relationship with the Department, it is now appropriate to give in greater detail the instances of connections between Mr. Lattimore and the Department. Without any intention of reflecting on Mr. Lattimore and for the purpose of setting the record straight, I believe I should state that Mr. Lattimore does not have a desk in the Department of State nor access to its files, and is neither an employee nor a top adviser of the Department. These are the facts:

On October 15, 1945, Mr. Owen Lattimore was appointed as an economic adviser to the United States Reparations Mission to Japan. He served with the mission until February 12, 1946. While on this assignment he was paid out of the Department's International Conferences funds.

Mr. Lattimore was one of 28 persons to lecture on a program known as Meet the Public, which was given at the Department's Foreign Service Institute. He gave one lecture on June 5, 1948. This program was initiated by the Department's Office of Public Affairs and was designed to bring before departmental personnel the viewpoints of various persons who were working on, or interested in, foreign affairs. In this capacity, Mr. Lattimore was not an employee of the Department and received no remuneration. The following were the speakers on this program:

Senator J. William Fulbright

Mr. Ernest K. Lindley, chief of the Washington bureau of Newsweek

Mr. Charles Bolte, chairman of the American Veterans' Committee

Congressman Jerry Voorhis

Prof. Owen Lattimore, director of the Walter Hines Page School of International Relations, Johns Hopkins University

Prof. Frederick L. Schuman, Williams College

Mr. Herbert Elliston, editor of the Washington Post

Mr. Eugene Meyer, president of the International Bank of Reconstruction and Development

Dr. Jacob Viner, professor of economics, Princeton University

Dr. Harold Lasswell, professor of law, Yale University

Mr. Wallace Deuel, editor of the Chicago News

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Senator Wayne Morse

Mr. Thomas K. Finletter, vice chairman of Americans United for World Government, Inc.

Mr. James M. Landis, Chairman of the Civil Aeronautics Board

Senator Warren Austin

Dr. Arthur Compton, chancellor of Washington University, St. Louis

Mrs. Vera Micheles Dean, editor and research director of the Foreign Policy Association

Mr. Kermit Eby, director of education and research, Congress of Industrial Organizations

Mr. Hamilton Owens, editor of the Baltimore Sun (and Sun papers)

Prof. Frank Tannenbaum, Columbia University

Mr. Gardner Murphy, American Psychological Association

Rev. Edmund A. Walsh, vice president of Georgetown University and regent of the School of Foreign Service

Mr. David Lawrence, editor of the United States News and of the World Report

Mr. Robert Watt, international representative of the American Federation of Labor

Mrs. Eleanor Roosevelt

Dr. Dexter Perkins, professor of Latin American affairs, University of Rochester

Congressman Mike Mansfield

Dr. Junes P. Baxter, president of Williams College

On October 6, 7, and 8, 1949, Mr. Lattimore, following preliminary correspondence with the Department of State, was one of a group of 25 private individuals participating in a round-table discussion arranged by the Office of Public Affairs for the purpose of exchanging views on United States foreign policy toward China. As a member of this group Mr. Lattimore was not an employee of the Department and received no compensation but was reimbursed for expenses. This round-table discussion followed a solicitation of written views on the same topic from a larger group in response to which the written views of 31 private individuals were received and analyzed. Some of the members, including Mr. Lattimore, were in both groups. Both the written views received and the transcript of the round-table discussions were made available as some of the background material for consideration by Mr. Raymond B. Fosdick, Mr. Everett Case, and Ambassador Jessup, who had been requested by the Secretary to review United States policy toward the Far East. The 31 who expressed views initially in writing were:

Former Consul General Joseph W. Ballantine, now at Brookings Institution

Prof. Hugh Borton, Columbia University

Former President Isaiah Bowman, Johns Hopkins University

Dr. A. J. Brumbaugh, American Council on Education, Washington

Former Ambassador William Bullitt

Former Under Secretary Castle

Former Consul John A. Embry

Prof. Rupert Emerson, Harvard University

Dr. Charles B. Fahs, New York City

Prof. John K. Fairbanks, Harvard University

Dr. Huntington Gilchrist, New York City

Prof. Carrington Goodrich, Columbia University

Former Under Secretary Grew

Col. Robert A. Griffin, former Deputy Administrator, ECA, China

Former Ambassador Stanley K. Hornbeck

Roger Lapham, former Administrator, ECA, China

Prof. Kenneth S. Latourette, Yale University

Prof. Owen Lattimore, Johns Hopkins University

Oliver C. Lockhart, Export-Import Bank of Washington

Walter H. Mallory, Council on Foreign Relations

Prof. Wallace Moore, Occidental College, Los Angeles

Prof. Edwin O. Reischauer, Harvard University

C. A. Richards, Economic Cooperation Administration

Former Minister Walter S. Robertson, Richmond, Va.

Dr. Lawrence K. Rosinger, New York City

Mr. James Rowe, Washington

Mrs. Virginia Thompson (Adoloff), New York City

Prof. Amy Vandembosch, University of Kentucky

Prof. Karl A. Wittfogel, Columbia University

Prof. Mary Wright, Stanford University

Admiral Yarnell

The 25 who attended the round-table discussions were:

- Joseph W. Ballantine, the Brookings Institution, Washington, D. C.
 Bernard Brodie, department of international relations, Yale University, New Haven, Conn.
 Claude A. Buss, Director of Studies, Army War College, Washington, D. C.
 Kenneth Colegrove, department of political science, Northwestern University, Evanston, Ill.
 Arthur G. Coons, president, Occidental College, Los Angeles, Calif.
 John W. Decker, International Missionary Council, New York, N. Y.
 John K. Fairbank, committee on international and regional studies, Harvard University, Cambridge, Mass.
 William R. Herod, president, International General Electric Co., New York, N. Y.
 Arthur N. Holcombe, department of government, Harvard University, Cambridge, Mass.
 Benjamin H. Kizer, Graves, Kizer & Graves, Spokane, Wash.
 Owen Lattimore, director, Walter Hines Page School of International Relations, Johns Hopkins University, Baltimore, Md.
 Ernest B. MacNaughton, chairman of the board, First National Bank, Portland, Oreg.
 George C. Marshall, president, American Red Cross, Washington, D. C.
 J. Morden Murphy, assistant vice president, Bankers Trust Co., New York, N. Y.
 Nathaniel Peffer, department of public law and government, Columbia University, New York, N. Y.
 Harold S. Quigley, department of political science, University of Minnesota, Minneapolis, Minn.
 Edwin O. Reischauer, department of Far Eastern languages, Harvard University, Cambridge, Mass.
 William S. Robertson, president, American & Foreign Power Co., New York, N. Y.
 John D. Rockefeller III, president, Rockefeller Brothers' Fund, New York, N. Y.
 Lawrence K. Rosinger, American Institute of Pacific Relations, New York, N. Y.
 Eugene Staley, executive director, World Affairs Council of Northern California, San Francisco, Calif.
 Harold Stassen, president, University of Pennsylvania, Philadelphia, Pa.
 Phillips Talbot, University of Chicago, Chicago, Ill.
 George E. Taylor, University of Washington, Seattle, Wash.
 Harold M. Vinacke, department of political science, University of Cincinnati, Cincinnati, Ohio

The following were invited to the round-table October 6, 7, and 8, 1949, but did attend:

- W. Langbourne Bond, Pan American Airways, Washington, D. C.
 Monroe E. Deutsch, provost, University of California
 Anne O'Hare McCormick, New York Times
 Morris T. Moore, chairman of the board of Time, Inc.
 Michael Ross, director, department of international affairs, CIO
 J. E. Wallace Sterling, president, Stanford University

In order to ascertain whether any facts whatsoever might support Senator McCarthy's assertions that Mr. Lattimore has a desk in the Department, access to its files, and a position as a top adviser on far-eastern affairs, a check has been made with officers of the Department who have been concerned with the Far East, and many of whom have come to know Mr. Lattimore, who is widely regarded as one of the leading experts in this field. Beyond the normal contacts found among persons having a common specialized professional training and interest, this check developed only that Mr. Lattimore, as director of the Walter Hines Page School of International Relations of Johns Hopkins University, has participated in setting up at Johns Hopkins a Mongolian language project in which the Department is interested. The Department of State, in line with the policy of promoting and utilizing foreign language and other international studies in numerous American universities, has, under authority of Public Law 724 (70th Cong.), entered into a contract with the Johns Hopkins University, pursuant to which it has contributed \$3,200 toward this language project. Very much larger sums have been made available for this project, it is understood, by the American Council of Learned Societies and the Carnegie Foundation. In connection with this project, it was possible to arrange for three Mongol scholars,

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Including Dilowa Hutuktu, or the "Living Buddha," to enter the United States and work in the Walter Hines Page School in Baltimore. Officers of the Department's Foreign Service Institute have visited the project from time to time to observe its progress, and a junior member of the Foreign Service staff, a specialist on the Far East, whose salary is \$4,050 a year, is studying at the Walter Hines Page School as part of this project. The end results of the project will be a descriptive grammar of the Mongolian language and other teaching materials in spoken Mongolian.

Mr. Lattimore was recently sent by the Secretariat of the United Nations as a member of a preliminary economic survey mission to Afghanistan. In this capacity, Mr. Lattimore was hired by and responsible to the United Nations and not the Department of State.

Mr. Lattimore does not have a desk in the Department of State, nor does he have access to its files. Of course, in connection with his OWI employment (1942-45) and his 4-month assignment to the Pauley Reparations Mission which terminated February 12, 1940, Mr. Lattimore, like others in such positions, might have been required as part of his duties to consider some official papers from other agencies of the Government, including the Department of State.

These are the facts.

Sincerely yours,

JOHN E. PEURIFOY,
Deputy Under Secretary.

Senator TYNDERS. Are you numbering these so he can identify them? You want them all in the record here, don't you?

Mr. MORGAN. Without objection, I would like to ask to have incorporated in our record a letter to me of May 2, 1950, from the United States attorney in New York City, pursuant to a request of mine concerning the physical condition of Jacob Stachel, whom we had subpoenaed. As I understand it, we have now determined that we should not seek to require Stachel's appearance, that is, the members of the committee here. I would like to have this in the record.

Senator TYNDERS. Put it in.

(The letter, submitted by Mr. Morgan, is as follows:)

UNITED STATES DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY, SOUTHERN DISTRICT OF NEW YORK,
New York, N. Y., May 2, 1950.

Re: *United States v. Foster, et al.*

EDWARD P. MORGAN, Esq.

*Chief Counsel Subcommittee Investigating the State Department,
Senate Office Building, Washington, D. C.*

Sir: I am in receipt of your letter dated April 28, 1950, relating to the subpoena issued by the Subcommittee of the Senate Foreign Relations Committee, directed to Jacob Stachel.

The records of the district court for the southern district of New York disclose that Stachel is represented on appeal from his conviction by George W. Crockett, Jr. I have received information that Stachel is confined to his home under the care of one Dr. Louis Finger, and has been a patient at Mt. Sinai Hospital for a coronary condition. Doctor Finger, of course, has also been physician for William Z. Foster, national chairman of the Communist Party, and has submitted affidavits in his behalf concerning a heart condition.

Stachel is presently under bond which restricts his movements to the southern district of New York. However, I have advised his attorney that I will consent to an order permitting his appearance before the Subcommittee of the Senate Foreign Relations Committee pursuant to the subpoena issued by you.

In addition, there is presently pending before the district court a motion made by Stachel, as one of the 11 defendants seeking a general modification of the bail bonds of all of them, to permit travel throughout the entire United States for the purpose of making speeches and raising funds.

If I can be of any further assistance, please do not hesitate to call upon me.

Respectfully,

IRVING H. SAYPOL,
United States Attorney.

Senator Lodge. I think it is just as important to subpnea Stachel as it is to subpnea Jaffe and Browder. Obviously, he is one of the most important figures in the whole thing. You don't get anything out of these fellows even when you do subpnea them. I think Stachel would be as good a man to subpnea as either Jaffe or Browder.

Senator Green. I have no objection to it, but they defy you.

Senator Lodge. I thought they defied us after we subpnead them.

Senator Green. That is the reason we issue citations.

Senator Lodge. I am not citing Stachel. I am talking about subpneing Stachel.

Senator Green. I thought he was subpnead.

Senator Lodge. No.

Senator Hickenlooper. He was.

Senator Green. Was he requested to come?

Mr. Morgan. He was subpnead, Senator, and ordered to appear at about the same time as Browder.

Senator Green. That is what I said; he was subpnead, and somebody just contradicted me.

Senator Tydings. He was subpnead but filed a doctor's certificate of ill health.

Senator Green. That is it exactly. He was subpnead but couldn't come. When he came, he defied us and refused to answer questions.

Senator McMahon. Has any check been made as to his condition?

Mr. Morgan. Yes. That has been verified. He was confined at Mt. Sinai Hospital with a heart condition; and, while I imagine that his heart condition is probably not as bad as he might like the world to believe, he apparently has a doctor who is so certifying, and he is confined to his premises by reason of the heart condition.

Senator McMahon. What do you suggest, Senator?

Senator Lodge. My position has been right along that if we subpnea Browder and Jaffe, we ought to subpnea Stachel.

Senator McMahon. If we subpnead them, what is your position in view of this information, which is new to me?

Senator Lodge. I don't have much faith in a Communist making any excuse that he is too sick. To me, that doesn't carry much weight.

Senator McMahon. On the theory that all Communists, with which I agree, are, per se, liars.

Senator Lodge. I doubt if we would get much information out of them.

Senator Green. I think the only object in asking for a citation in these other cases, because we have been defied by people, is to establish our own self-respect; but, where a man doesn't come because he is sick, that is a different reason.

Senator Lodge. I just doubt whether he is that sick, without knowing anything about it.

Senator Green. I know, but I don't think it is the sort of defiance the way the other is, where you order them to answer questions and they refuse. That is a defiance of our rights in the matter.

Senator Tydings. We didn't get that other fellow that Senator McCarthy had summoned and brought down here on a plane. He was down here in Washington and went home. We never even got him down here. He was sick, too.

Senator McMahon. I forgot about that "bird." Where is that "bird"?

Mr. MORRIS. I hear he wants to come down.

Senator TYDINGS. Where did you hear it?

Mr. MORRIS. From him.

Senator TYDINGS. Where is he?

Mr. MORRIS. He is home in Mount Vernon. I spoke to him on the phone.

Senator McMAHON. When?

Mr. MORRIS. I guess it was about 10 days ago.

Senator McMAHON. What did you talk to him about?

Mr. MORRIS. He came and consulted me in connection with his appearance down here. He asked me if, in my opinion, he was in contempt, and I said, "Technically, you are." He submitted a doctor's certificate. So he said, "What are you going to do?" I said, "Certainly, if I were you, I would write to Senator Tydings and tell him you are willing to come down here and testify in executive session."

Senator McMAHON. Did you make any report as assistant counsel to this committee on this conversation?

Mr. MORRIS. To Mr. Morgan? No; I didn't.

Senator McMAHON. To any member of the committee?

Mr. MORRIS. I don't know whether I mentioned it to Senator Hick-enlooper. No; I don't think I did.

Senator McMAHON. Did you mention it to Senator McCarthy?

Mr. MORRIS. No.

Senator McMAHON. Did you mention it to anybody in his office?

Mr. MORRIS. In Senator McCarthy's office? No.

Senator McMAHON. I am rather surprised, because I should think that information concerning a collapsible and disappearing witness—if you thought it was important enough to talk to him and give him advice—would be of some importance. I regret very much that you didn't notify the chairman of the committee.

Mr. MORRIS. May I explain a little further?

Senator McMAHON. Sure.

Mr. MORRIS. I haven't been near my law office, I don't know, for a long period of time, and I got phone messages. I noticed he had been trying to reach me. He was trying to consult me sort of independent with respect to my position on the committee. He wanted, as he called it, some friendly advice as to where he stood and everything else. So, the advice I gave him was that he should write to Senator Tydings and say that he is perfectly willing to come down and testify. Now, what caused him to be so upset was the fact he had to testify in open session. Apparently, when he was first served, he was told by Mr. Tyler that he was going to be heard in executive session. When he got down here and saw all the klieg lights, he was very much disturbed, and he said he had an emotional upset; and I believe him, because the guy is very excitable.

Mr. MORGAN. For the record, Mr. Tyler told him he didn't know whether he would appear in executive or open session, but that is neither here nor there.

Mr. MORRIS. I am reporting on Mr. Huber's conversation.

Mr. MORGAN. Just for the record, I want that to be clear.

Mr. MORRIS. I said now that he is well again; that he should come and send a letter to Senator Tydings.

Senator TYDINGS. If he came down here does anybody know what he would testify to? What is the point of bringing him unless he is going to contribute something to the sum total of knowledge essential to form an opinion on the matter before us? We had Mr. Van Buren down here who was widely heralded as a man who could tell everything in God's world, and if he had stayed in New York—he is a hell of a nice fellow—we would have known just as much as we know now. I don't want to take the time to have witnesses come down here unless we know they have got some pertinent information. There is no point in getting him down here, then finding he has nothing to contribute.

Mr. MORRIS. Senator, don't misconstrue what I said now. I am answering Senator McMahon's inquiry about Huber. Here is the first time it came up, and I spoke of it as soon as I heard about it. I gave him advice. I didn't think it was in the capacity of assistant counsel. I think he came to me as somebody he could go to for assistance, and I gave him the best advice I could.

Senator McMAHON. How many times have you conferred with him?

Mr. MORRIS. Huber? All together, I must have seen Huber eight times. You see, he was one of the witnesses before the Westchester grand jury.

Senator McMAHON. And you were connected with that case?

Mr. MORRIS. Yes.

Senator McMAHON. Is that where you first met him?

Mr. MORRIS. That is where I first met him—possibly before that, even.

Senator McMAHON. Were most of the meetings in connection with this?

Mr. MORRIS. Yes.

Senator McMAHON. How many times did you confer with him in relation to our matters?

Mr. MORRIS. I would say two.

Senator McMAHON. Would you fix the dates?

Mr. MORRIS. It would be very difficult, Senator.

Senator McMAHON. I don't mean the exact dates. I mean in relation to what was going on in the investigation. In other words, was it before he was supposed to appear before our committee?

Mr. MORRIS. No. I met him once before he was supposed to appear, but I had no part of it or anything else. I just heard that he was going to be one of the witnesses.

Senator TYDINGS. Were you alone when you met him?

Mr. MORRIS. No.

Senator TYDINGS. Who was with you?

Mr. MORRIS. I think Mr. Sokolsky was present and Mr. Kerley. Mr. Sokolsky had nothing to do with it. It happened to be a social gathering at which these people happened to be present.

Senator TYDINGS. Anybody else?

Senator McMAHON. Who is Kerley?

Mr. MORRIS. He testified at the same time. It was a social gathering, Senator. I am trying to think of who else was present.

Mr. MORGAN. Is our question whether or not we are going to call Huber?

Senator TYDINGS. Let us let the thing go.

Mr. MORRIS. I am answering Senator McMahon's question. I am trying to recall who was present. The two that stand out are Kerley and Sokolsky. I don't think he even paid any attention to it.

Senator McMAHON. Where was the meeting?

Mr. MORRIS. It wasn't a meeting. It was at the home of J. B. Matthews, 410 West Twenty-fourth Street. He is a man who had—I know he always used to help me when I was in the Navy.

Senator McMAHON. I know something about Dr. Matthews' background. That was before Kerley was supposed to appear with this man Huber?

Mr. MORRIS. That is right, Senator.

Senator McMAHON. Just a few days before?

Mr. MORRIS. No. I think this was probably at least a week before, maybe 2 weeks.

Senator McMAHON. Was that before you became associated with this committee?

Mr. MORRIS. I don't think so; no.

Senator McMAHON. That was when you were associated with this committee?

Mr. MORRIS. I think so.

Senator McMAHON. Did you make that known to the committee, the fact that you had had this meeting in regard to this witness?

Mr. MORRIS. I don't think so, Senator. You see, it was a social gathering. Now, I was not there in my capacity as a counsel of the committee.

Senator McMAHON. But Huber's appearance was discussed; wasn't it?

Mr. MORRIS. Naturally, the Lattimore subject was in all the papers and everyone was talking about it.

Senator McMAHON. Lattimore had already appeared.

Mr. MORRIS. No. I don't know whether he had appeared, but Lattimore's name had been injected into the picture, and people were generally talking about Lattimore and evidence against Lattimore. I saw Huber there and I was rather surprised. I mean I hadn't seen Huber, I suppose, a month or 2 months, 6 weeks, whatever it was. So, I listened to what was going on. I just listened to what it was; that is all. I don't even think I formed a conclusion, because, when I heard that Senator McCarthy had suggested he be called, I was rather surprised. They hadn't consulted me on it.

Senator HICKENLOOPER. I want to clear up one thing, Brien, if I may.

Senator McMAHON. Sure.

Senator HICKENLOOPER. It just runs in my mind, and I want to be clear on it in my own mind. At the time this fellow failed to appear as a witness, or the day before or the day after, in discussing the matter, it seems to me that Mr. Morris may have mentioned that he had seen this fellow. I think maybe I asked him if he had ever seen this fellow that failed to appear, and it runs in my mind that he said he saw him once, or something of the kind. I asked you whether you talked it over with the committee. I think I asked you that. I can't be absolutely certain. However, we were discussing why this fellow didn't appear, and I said, "Who is this 'bird'?" and you may have said to me that you had seen him once. I don't recall whether you did or not.

Senator TYDING. All right, go ahead. What do you want to know?

Senator McMAHON. I may pursue it further a little later.

Senator LODGE. Let me ask you, before Mr. Morgan continues, what is your program for this meeting today, to clean up a lot of loose ends; is that it?

Senator TYDINGS. There are a lot of things, some of which have been requested by me without the authority of the committee. I have been trying to be vigilant, and where things were not buttoned up I have written and tried to get answers to be put in the record. They are all self-explanatory, and a mere reading of them will show where they fit in. There are only one or two things where there could be a question of keeping them out. One of them is that confidential thing from the FBI. My suggestion is—and I want to be perfectly open and aboveboard about it—that Mr. Morgan be authorized to put in all papers that are pertinent to our inquiry which fill in the gaps here. I have written them, without any regard to whether they are pro or con, to get the information, and it is all here. Some of it, I think, would be of value to the committee, but there would be no point, in my opinion, for the committee taking every little letter and going through them, because a lot of them are very routine.

Senator LODGE. I would like to feel that my assistant could go through them and pick out things that he thinks I ought to see.

Senator TYDINGS. I have no objection to that.

Mr. MORGAN. These will all be a part of the record.

Senator TYDINGS. They will all be a part of the record, which will be put in your hands.

Senator LODGE. You are going to make copies of this for everybody?

Mr. MORGAN. What I hope to do, Senator, except in those instances where the matter is extremely voluminous, is to indicate to the reporter where it is to be incorporated in the record. This will be retained among the official exhibits in the office downstairs, and when and if we print the record then this can be printed right into the body of the testimony where it is to be inserted.

Senator TYDINGS. What I am doing—I think I ought to notify the committee, and I am sure the committee will want to have it done—I am having the testimony all printed at the Government Printing Office. I haven't gotten any of it yet, but they have it. Now they tell me at this stage of the game, with the session drawing to a close, and with the Congressional Record, they can't give it to me right away, but at least they are working on it, and I am very hopeful of getting it in the not too distant future. What I want to do is to put anything that is pertinent in, so that, when the record does come, you will have the whole picture.

Senator GREEN. I don't understand just what Mr. Morgan meant by "at the proper place in the record." You can't date these back as though they were put in 3 or 4 weeks ago.

Mr. MORGAN. No, Senator. What I mean is this: that if we incorporate them as exhibits they will still have to be printed; and, as a matter of convenience, I think it would be better to have them printed as a part of the testimony record rather than putting them back in as an exhibit as such.

Senator TYDINGS. So that the exhibit will come where it is related to the evidence in the record.

Senator GREEN. I don't think that is right at all. It would seem then, as though we knew it at the time.

Senator TYDINGS. We asked for it at the time.

Mr. MORGAN. Here, for example, is a communication from the Department of Justice pursuant to a specific request made of Mr. McInerney for the Larsen affidavit filed in court.

Senator GREEN. And, at a hearing, it was agreed that it should be furnished us.

Mr. MORGAN. That is right.

Senator GREEN. That is all right. I thought you meant an independent letter from the chairman about some matter that we had discussed at some hearing and, therefore, you would put the whole thing back in that hearing.

Mr. MORGAN. No, sir.

Senator TYDINGS. Frequently during the course of the hearing, Senator Green, if you will recall, we were requested to get some information, which I have endeavored to do, and it should be put in the record at the time the request was made, although it came in later, to show its relativity to what we had under discussion.

Senator GREEN. That is all right.

Senator TYDINGS. Go ahead, Mr. Morgan.

Mr. MORGAN. If the chairman desires, I will be happy to read all of this material into the record. However, I would much prefer, if possible—it is all here, available to anyone who wishes to review it—merely to indicate to the stenographer, not necessarily here and now, what it is in order that he can indicate in our record that it has been incorporated as such.

Senator LODGE. I am interested, Mr. Chairman, in having access to these papers while I am still studying this whole subject, so that I can know what is in it to help me in my study.

Senator TYDINGS. You sure can, and it will be made available to you whenever you want it.

Senator LODGE. When can my assistants look through these papers?

Mr. MORGAN. You name it—anytime.

Senator LODGE. Anytime?

Senator TYDINGS. Anytime at all.

Senator LODGE. All right.

Senator TYDINGS. Go ahead.

Mr. MORGAN. I assume, then, that it will not be necessary at this point to incorporate by reading all of this into the record.

Senator TYDINGS. I don't see any point in it, but any member of the committee, anytime, ought to be able to go through this and see anything that we have here.

Mr. MORGAN. Pursuant to the committee's approval of this action, I am at this point incorporating in the record all of the various items which we thus far have collected in the office of the staff.¹

(Whereupon, at 3:50 p. m., the committee adjourned.)

¹ These items are included in the appendix to the record at pp. 1756 to 2809.